

Vol. 134] Jammu, Thu., the 19th August, 2021/28th Srav., 1943. [ No. 21  
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Printed at the Ranbir Government Press, Jammu.



## PART I-A

### Jammu & Kashmir Government–Orders

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HIGH COURT OF JAMMU AND KASHMIR AT JAMMU/  
SRINAGAR

(Exercising powers of Bar Council under Section 58 of the Advocates  
Act, 1961).

Notification

No. 535 of 2021/RG Dated 31-03-2021.

It is hereby notified that vide High Court Order dated 23-03-2021 Mr. Simple Sharma S/o Lal Chand R/o Village Patyari, P/O Sarna, Tehsil and District Samba has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-87/2021 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

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Notification

No. 536 of 2021/RG Dated 31-03-2021.

It is hereby notified that vide High Court Order dated 23-03-2021 Ms. Suwaiba D/o Mohammad Amin Malik R/o Umer Colony B, Lane No. 581, Lal Bazar, Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification,



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The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

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## Notification

No. 537 of 2021/RG Dated 31-03-2021

It is hereby notified that vide High Court Order dated 23-03-2021 Mr. Syed Wajid-ul-Zafar-Zafar S/o Syed Zafar-ul-Islam R/o Peerpora, Astan Mohalla, Tehsil Keegam, District Shopian has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from the concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-89/2021 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

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## Notification

No. 538 of 2021/RG Dated 31-03-2021

It is hereby notified that vide High Court Order dated 23-03-2021 Ms. Ifrah Yasin D/o Mohd Yasin R/o Sector B, House No. 65, Budshah Nagar, Natipora, Srinagar A/P Block-B, Flat No. 222, Sainik Colony, Adarsh Vihar, Near Jodhamal School, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council.



316 The J&K Official Gazette, the 19th August, 2021/28th Srav., 1943. [ No. 21  
provisionally for a period of one year from the date of issuance of this  
notification, subject to the verification of her Provisional/LL.B Degree  
Certificate from the concerned University and verification of her  
character and antecedents from CID. Her name has been entered under  
Serial No. JK-31/2021 in the Roll of Advocates maintained by this  
Registry.

The renewal/extension of provisional licence/enrollment must be  
sought before the date of expiry unless the absolute/final enrollment as  
an Advocate is ordered therebefore.

Notification

Notification

No. 539 of 2021/RG Dated 31-03-2021.

It is hereby notified that vide High Court Order dated 23-03-2021  
Ms. Jeemi Nargotra D/o Jagdish Nargotra R/o H. No. 459, Kacha Talab,  
Bahufort, Jammu has been admitted and enrolled as an Advocate on the  
Rolls of Jammu and Kashmir Bar Council provisionally for a period of  
one year from the date of issuance of this notification, subject to the  
verification of her Provisional/LL.B Degree Certificate from the  
concerned University and verification of her character and antecedents  
from CID. Her name has been entered under Serial No. JK-32/2021 in  
the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be  
sought before the date of expiry unless the absolute/final enrollment as  
an Advocate is ordered therebefore.

Notification

Notification

No. 540 of 2021/RG Dated 31-03-2021.

It is hereby notified that vide High Court Order dated 23-03-2021  
Mr. Junaid Firdous Baba S/o Firdous Ahmad Baba R/o Bata Kadal, Lal  
Bazar, Near Islamia High School, Tehsil Eid Gah, Srinagar has been  
admitted and enrolled as an Advocate on the Rolls of Jammu and



It is hereby notified that vide High Court Order dated 23-03-2021 Ms. Kanchan Bala D/o Sh. Krishan Lal R/o Chakrohi, Near Krishna Mandir Suchetgarh, Jammu has been admitted and enrolled as an



Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-36/2021 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

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## Notification

No. 543 of 2021/RG Dated 31-03-2021.

It is hereby notified that vide High Court Order dated 23-03-2021 Ms. Kanchan Sharma D/o Rattan Lal Sharma R/o H. No. 839, Lane No. 10, Rajpora Mangotrian, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of her Provisional/LL.B Degree Certificate from the concerned University and verification of her character and antecedents from CID. Her name has been entered under Serial No. JK-37/2021 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

(Sd.) MOHAMMAD YASIN BEIGH,

Registrar (Adm.).





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# JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 134] Jammu, Thu., the 19th Aug., 2021/28th Srav., 1943. [No. 21

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separate compilation

## PART I—B

### Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT

REVENUE DEPARTMENT.

Subject : Acquisition of land measuring 54 Kanals 08 Marlas 08 Sirsai in  
Village Nerojal, Tehsil Thannamandi, District Rajouri for widening  
of Rajouri-Thannamandi road by GREF.

Notification No. 18-Rev (LAJ) of 2021

Dated 10-03-2021.

Whereas, the land, specifications whereof are given in Annexure-"A"  
to this notification is required for the public purposes viz. widening of Rajouri-  
Thanamandi Road situated at Village Nerojal, Tehsil Thanamandi, District  
Rajouri Road by GREF ; and







However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of lands involved in the



352 The J&K Official Gazette, 19th Aug., 2021/28th Srav., 1943. [No. 21  
 case for making apportionment of compensation amongst all the interested  
 persons/rightful claimants, in accordance with the relevant laws/rules in  
 force, while making the award.

(Sd.) SHALEEN KABRA, IAS,

Principal Secretary to the Government.

## Annexure-A

## Particulars of the land

District	Tehsil	Village	Kh. Nos.	Area
1	2	3	4	5
				K. M. S.
Rajouri	Thannamandi	Nerojal	278/17	00-18-08
			278/17	00-02-00
			276/17	00-13-03
			276/17	01-05-05
			276/17	02-06-06
			276/17	00-01-05
			276/17	00-05-00
			276/17	00-05-05
			276/17	00-01-00
			276/17	00-02-02
			281/17	01-04-04
			280/17	00-05-00
			325/283/17	00-05-00



No. 21] The J&K Official Gazette, 19th Aug., 2021/28th Srav., 1943. 353

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1 2 3 4 5

oo

K. M. S.

325/283/17 00-12-00

325/283/17 00-07-08

282/17 00-01-07

282/17 01-08-01

283/17 02-10-00

41 03-01-03

50 04-15-01

196 00-03-03

197 01-05-02

209 05-07-05

211 01-10-01

212 02-07-08

278/17 01-00-00

278/17 01-11-00

276/17 00-13-03

276/17 00-01-00

276/17 00-02-07

276/17 00-13-03

276/17 00-02-00

276/17 00-01-03

278/17 00-07-03

281/17 00-02-02

280/17 05-01-06



354      The J&K Official Gazette, 19th Aug., 2021/28th Srav., 1943. [No. 21  
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1	2	3	4	5
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	K. M. S.
280/17	00-02-07
325/283/17	00-17-03
325/283/17	00-02-06
282/17	00-04-07
282/17	00-03-01
282/17	00-06-06
276/17	00-17-07
45	06-17-02
18	00-09-04
47	01-14-03
207	00-01-00
210	00-14-00
212	00-03-03
217	00-11-08
	oooooo
G. Total	54-08-08
	oooooo

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GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIATô REVENUE DEPARTMENT.

Subject :ô Acquisition of land measuring 100 Kanals and 05 Sirsai situated  
at Village Bufliaz, Tehsil Surankote, District Poonch for widening  
of By-pass road Surankot-Bufliaz by GREF-Issuance of  
notification under sections 6 & 7 of Land Acquisition Action.

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Whereas, the Government is satisfied that the land referred above is required for public purpose viz. for widening of Bye Pass road Surankote-Bufliaz by GREF situated at Village Bufliaz, Tehsil Surankote, District Poonch ; and



Now, therefore, in pursuance of section 6 of the J&K Land Acquisition Act, Samvat 1990, it is declared that the land measuring 100 Kanals 05 Sirsai situated in Village Bufliaz, Tehsil Surankote, District Poonch is required for public purposes viz. widening of Bye-Pass road Surankote-Bufliaz by GREF.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of lands involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHALEEN KABRA, IAS,  
Principal Secretary to Government.

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GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT& REVENUE DEPARTMENT.

Notification No. 139-Rev (LAJ) of 2020

Dated 10-06-2020.

Whereas, the land specification whereof as given below is required for construction of road by PWD, from Kotedhara to Peeri, in Village Dharsakri, Tehsil Kotranka, District Rajouri ;

District	Tehsil	Village	Kh. No.	Area
				K. M.
Rajouri	Kotranka	Dharsakri	11	00-04

Whereas, on the basis of an indent placed by the Chief Engineer, PW (R&B) Department, Jammu, a notification under section 4 (1) was issued by the Collector, Land Acquisition (ADC), Kotranka vide letter No. ADC/Ktr/525-28 dated 27-10-2019, for land measuring 04 Marlas, situated in Village Dharsakri, Tehsil Kotranka, District Rajouri ;



Whereas, the Collector, Land Acquisition (ADC), Kotranka, vide letter No. ADC/Ktr/702-03 dated 07-01-2020, has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by him was served upon the interested persons for filing objections, if any, to the proposed acquisition, but, no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. construction of road by PWD from Kotedhara to Peeri, in Village Dharsakri, Tehsil Kotranka, District Rajouri.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of lands involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

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GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT& REVENUE DEPARTMENT.

Dated 10-06-2020.

District	Tehsil	Village	Kh. Nos.	Area
				K. M. S.
Rajouri	Thanamandi	Rajdhani	829	01-15-00
			886	00-04-00
				00000000
			Total	01-19-00
				00000000

Whereas, the District Collector, Land Acquisition (DC), Rajouri, vide letter No. AC/LA/655-56 dated 12-10-2019, has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act by the Collector, Land Acquisition (SDM), Thanamandi was served upon the interested persons for filing objections, if any, to the proposed acquisition, but, no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;



Whereas, the report furnished by District Collector, Land Acquisition (DC), Rajouri, vide letter referred to above duly endorsed by the Divisional Commissioner, Jammu vide No. 502/3816/Rajdhani/Raj/19/2613 dated 29-10-2019 and endorsed by the Financial Commissioner, Revenue, J&K, Jammu vide No. FC-LS/LA-5112/2020 dated 04-03-2020 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particular whereof are given above is required for public purpose viz. construction of Khul by Irrigation and Flood Control Department in Village Chowkian, Tehsil Darhal, District Rajouri.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 1 Kanal and 19 Marlas, situated in Village Rajdhani, Tehsil Thanamandi, District Rajouri, for construction of Khul by Irrigation and Flood Control Department in Village Rajdhani, Tehsil Thanamandi, District Rajouri. Further, the Collector, Land Acquisition (ACR), Rajouri is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of lands involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/ rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government,  
Revenue Department.

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360 The J&K Official Gazette, 19th Aug., 2021/28th Srav., 1943. [No. 21  
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GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT& REVENUE DEPARTMENT.

Notification No. 142-Rev (LAJ) of 2020

Dated 10-06-2020.

Whereas, the land specification whereof as given below is required  
for construction of Khul by Irrigation and Flood Control Department in Village  
Chowkian, Tehsil Darhal, District Rajouri ;

District	Tehsil	Village	Kh. Nos.	Area
oo				K. M. S.
Rajouri	Darhal	Chowkian	2075	00-06-03
			2199/2078	00-05-04
			2076	00-08-00
				oooooooo
		Total Area		00-19-07
				oooooooo

Whereas, on the basis of an indent placed by the Chief Engineer,  
I&FC Department, Jammu, a notification under section 4 (1) was issue  
by the Collector, Land Acquisition (ACR), Rajouri vide letter No. AC/LA/  
563-66 dated 24-09-2019, for land measuring 19 Marlas, 07 Sarsai, situated  
in Village Chowkian, Tehsil Darhal, District Rajouri ;

Whereas, the District Collector, Land Acquisition (DC), Rajouri, vide  
letter No. AC/LA/646-47 dated 11-10-2019, has reported that the notification  
issued under section 4 (1) of the J&K State Land Acquisition Act by the  
Collector, Land Acquisition (ACR), Rajouri was served upon the interested



No. 21] The J&K Official Gazette, 19th Aug., 2021/28th Srav., 1943. 361  
persons for filing objections, if any, to the proposed acquisition, but,  
no objection as received from the land owners/interested persons within  
the prescribed period as required under sections 5 & 5-A of the Land  
Acquisition Act ;

Whereas, the report furnished by District Collector, Land Acquisition  
(DC), Rajouri, vide letter referred to above duly endorsed by the Divisional  
Commissioner, Jammu vide No. 502/3813/Chowkian/Raj/19/640  
dated 29-10-2019 and endorsed by the Financial Commissioner, Revenue,  
J&K, Jammu vide No. FC-LS/LA-5112/2020 dated 04-03-2020 has been  
examined and it has been found that the land owners did not file any  
objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land perticulers whereof  
are given above is required for public purpose viz. construction of Khul by  
Irrigation and Flood Control Department in Village Chowkian, Tehsil Darhal,  
District Rajouri.

Now, therefore, in pursuance of section 6 of the J&K State Land  
Acquisition Act, Samvat 1990, it is declared that the land measuring  
19 Marlas, 07 Sarsai situated in Village Chowkian, Tehsil Darhal, District  
Rajouri, for construction of Khul by Irrigation and Flood Control Department  
in Village Chowkian, Tehsil Darhal, District Rajouri. Further, the Collector,  
Land Acquisition (ACR), Rajouri is directed under section 7 of the said Act  
to take orders for acquisition of the said land after giving prescribed notice to  
the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for  
identification and proper title verification of all types of lands involved in the  
cae for making apportionment of compensation amongst all the interested  
persons/rightful claimants, in accordance with the relevant laws/ rules in  
force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,

Principal Secretary to Government,  
Revenue Department.

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Dated 10-06-2020.

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. construction of road from



No. 21] The J&K Official Gazette, 19th Aug., 2021/28th Srav., 1943. 363  
 Nabna to Chhungan by PMGSY in Village Kasblari, Tehsil Mankote, District  
 Poonch.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that the land measuring 121 Kanals and 15 Marlas, situated in Village Kasblari, Tehsil Mankote, District Poonch, for construction of road from Nabna to Chhungan. Further, the Collector, Land Acquisition (SDM), Mendhar is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of lands involved in the case for making apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) DR. PAWAN KOTWAL, IAS,  
 Principal Secretary to Government,  
 Revenue Department.

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 Particulars of land  
*Annexure-'A'*

District	Tehsil	Village	Kh. Nos.	Area
1	2	3	4	5
Poonch	Mankote	Kasbalari	909	02-05
			908	00-16
			907	01-03
			905	01-19
			889	20-19

K. M.



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# JAMMU AND KASHMIR OFFICIAL GAZETTE

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## PART II—A

### Orders by Heads of Departments.

CHARGE REPORTS

In compliance to the Government Order No. 18-JK (ARI & Trgs.)  
of 2021 dated 02-08-2021 issued under endorsement No. ARI-01/05/  
2021-01 dated 02-08-2021, we the undersigned have handed over and taken  
over the charge of General Manager, Ranbir Government Press, Jammu in  
all respect today the 04th of August, 2021 afternoon.

(Sd.) A. A. AKHOON,

General Manager,  
Ranbir Government Press, Jammu.

(Relieved Officer).

(Sd.) PARSHOTAM SHARMA,

General Manager,  
Ranbir Government Press, Jammu.

(Relieving Officer).

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42 The J&K Official Gazette, 19th Aug., 2021/28th Srav., 1943. [No. 21  
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Subject :ô Relinquishing of charge.

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Consequent upon my transfer and posting as Deputy  
Commissioner, Anantnag vide Government Order No. 246-JK(GAD) of  
2021 dated 16-03-2021, I hereby assume the charge of Deputy  
Commissioner, Udhampur today on 18-03-2021 (A. N.).

(Sd.) DR. PIYUSH SINGLA, IAS,

Deputy Commissioner,  
Udhampur.





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THE

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### PART II—B

#### Notifications, Notices and Orders by the Heads of Departments.

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GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE DEPUTY COMMISSIONER, RAMBAN.

Subject :ô Transfer of State land measuring 17 Marlas under Khasra  
No. 499/13 min, Village Chanderkote, Tehsil Ramban  
for construction of Panchayat Ghar, Chanderkote.

Order No. 02-Rev(SQ) of 2021

Dated 22-06-2021.

In exercise of the powers vested in me vide Government Order No. 30-Rev(S) of 2019 dated 05-03-2019, issued by the Revenue Department, sanction is hereby accorded to the transfer of State Land measuring 17 Marlas, under Khasra No. 499/13 min, situated in Village Chanderkote, Tehsil Ramban for construction of Panchayat Ghar, Chanderkote in favour of Rural Development Department through Director, Rural Development, Jammu forthwith.

The land shall only be used for the purpose for which the sanction of transfer has been accorded, after obtaining all the codal formalities as may be required for construction of Panchayat Ghar. No diversion of land for any other purpose is allowed without obtaining prior approval of the competent authority.

(Sd.) .....

Deputy Commissioner,  
Ramban.

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OFFICE OF THE COMMERCIAL/STATE TAXES  
OFFICER, CIRCLE-P, JAMMU.

Notification

It has been reported by M/s Idea Forge Technology Pvt. Ltd., 187/1, Lower Ground Floor, Trikuta Nagar, Jammu bearing TIN : 01411202806 that (03) Three No. of F-Forms bearing No. from 01W-104831 to 01W-104833 issued on 19-06-2017 have been lost and matter stands published in the below mentioned Newspapers for declaring them invalid :

1. The Free Press Journal, Mumbai dated 25-03-2021
2. Parhar (Marathi) dated 23-03-2021

The dealer has also furnished an indemnity bond in this respect which is placed on record and copy of information report issued by District Police, Nabi Mumbai vide his No. 0345/2021 dated 12-03-2021. Hence, the below noted F-Forms are hereby declared as invalid for the purpose. Anybody, fraudulently using the said F-Forms will render himself liable for penalty action as per Law.

The person/s who will find the said F-Forms please return the same to the undersigned.

No. of F-Forms	:	03 (Three)
S. No. of F-Forms	:	01W-104831 to 01W-104833
Name and address of the dealer	:	M/s Idea Forge Technology Pvt. Ltd., 187/1, Lower Ground Floor, Trikuta Nagar, Jammu.
Registration No. of the dealer	:	01411202806
Lost/stolen/destroyed	:	Lost
Address of the dealer to whom issued	:	M/s Idea Forge Technology Pvt. Ltd., 187/1, Lower Ground Floor, Trikuta Nagar, Jammu.

(Sd.) .....  
Commercial/State Taxes Officer,  
Circle -P, Jammu.

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IN THE COURT OF SUB-REGISTRAR (JMJC) JAMMU  
JAMMU

Present : Adnan Sayeed

In the Matter of : Complaint under section 523 Cr. P. C. for disposal  
of seized vehicle/vehicles/articles mentioned below  
seized under section 550 Cr. P. C. i. e. unclaimed  
property.

1. 12 Bore Gun No. BE986/1993 ;
2. With 3 live round and ;
3. One empty case ;
4. From Train No. 4033/34  
Coach No. NR608437 (General Coach)  
at P/F No. 3 Jammu Railway Station

NOTICE TO GENERAL PUBLIC

PROCLAMATION

Whereas above referred vehicle/vehicles/articles seized under  
section 550 Cr. P. C. by police of Police Station/Police Post, GRP,  
Jammu and till date no one has come forward with proof to stake the  
claim over the said property. As such by way of proclamation public at  
large is hereby informed to stake claim over the above said property and  
establish his/her ownership within six months period from the date of  
issuance of this publication failing which property shall be disposed of  
in accordance with law.

Issued under my hand and signature today the day of 08-10-2015.

For further proceedings put upon 27-11-2015.

(Sd.) .....

Sub-Registrar Judicial Magistrate,  
Ist Class, Jammu.

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Notice

I, Riya D/o Pawan Kumar and Mother name Smt. Neetu Devi  
R/o Udampur, District Udampur that I my and my mother name has  
been wrongly written in my Birth Certificate is Reai and my Mother  
name is Nitu Devi instead of Riya and Neetu Devi. Objection, if any,  
may be conveyed it to concerned Authority within 7 days from the  
publication of this notice.



It is certified that I have complied with other legal requirements in this connection.

Riya D/o Pawan Kumar and  
Mother Name Smt. Neetu Devi  
R/o Udampur,  
District Udampur.

Notice

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices will remain solely, responsible for the legal consequences and also for any other misrepresentation etc.

By Order.

General Manager,  
Ranbir Govt. Press, Jammu.

Notice

I, Dhruv Gupta and Apurva Gupta S/o and D/o Deep Kumar and Veerta Gupta R/o Bhawani Nagar, Jammu hereby declare that we are applying for correction in my educational documents.

According to revenue and other records, the actual name of my father is Deep Kumar and not Deep Gupta and DK Gupta, similarly the actual spelling of my mother's name is Veerta Gupta and not Virta Gupta which are wrongly recorded on our all educational documents. The rectification is mandatory to set the record straight.

Objections, if any, may be sent to the concerned authorities Jammu within a week's time.

It is certified that I have complied with other legal requirements in this connection.

Dhruv Gupta and Apurva Gupta  
S/o & D/o Deep Kumar and Veerta Gupta  
R/o Bhawani Nagar, Jammu.

Notice

No Legal responsibility is accepted for the publication of Advertisements/Public Notices in this Part of the Official Gazette of UT of J&K. Persons notifying the Advertisements/Public Notices will remain solely, responsible for the legal consequences and also for any other misrepresentation etc.

By Order.

General Manager,  
Ranbir Govt. Press, Jammu.





THE

## JAMMU AND KASHMIR OFFICIAL GAZETTE

Vol. 134] Jammu, Thu., the 19th Aug., 2021/28th Srav., 1943. [No. 21

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

### ADVERTISEMENTS—C

UNION TERRITORY OF JAMMU AND KASHMIR, RAJYA  
SAINIK BOARD AMBPHALLA JAMMU-180005.

ADVERTISEMENT NOTICE 208 RSB/FS/2021

Dated 27 July, 2021.

1. Applications are invited on the prescribed application as per Appendix to this Notification from the ex-servicemen of the District Jammu for the post of Accountant for Fund Section on contractual basis with honorarium of Rs. 20,000/- PM.

2. The eligibility criteria/terms and conditions for appointment are as under :

- (a) Should be a JCO CLK (having adequate Knowledge of Accounts and computer).



98 The J&K Official Gazette, 19th Aug., 2021/28th Srav., 1943. [No. 21  
oo

(b) Should not be more than 55 yrs of age as on 1-1-2021.

(c) Minimum Educational Qualification BA/B.Sc/B.Com. Working Knowledge of computer is a must.

(d) Should bear an Exemplary Character at the time of retirement from Defence Services rendered by him.

(e) Should be in Medical Category Shape-1.

(f) The candidate will not claim the seniority/permanency of the service rendered by him.

(g) It is a contractual post and hence no pensionary or terminal benefits for the service rendered can be claimed. Max. terms of engagement will be 60 years of age or 10 years of service whichever is earlier.

3. Application forms should reach J&K Rajya Sainik Board Office by 26 Aug. 2021, positively, completed in all respects along with Following documents duly attested :ô

(a) Matriculate Certificate with Date of Brith.

(b) Permanent Resident Cerificate/Domicile Certificate.

(c) Attested copy of discharge certificate.

(d) Certificates of Academic Qualification.

(e) Experience Certificate, if any.

4. Incomplete applications will not be considered. The department has full right to reject the application forms not meeting the eligibility. Eligible ex-servicemen will have to appear for a written test and



[illegible]

Secretary,  
Rajya Sainik Board.

APPLICATION FORM FOR APPOINTMENT OF  
EX-SERVICEMEN IN THE SAINIK WELFARE DEPARTMENT  
OF UT, J&K

SPACE FOR  
PHOTOGRAPH DULY  
ATTESTED



100 The J&K Official Gazette, 19th Aug., 2021/28th Srav., 1943. [No. 21  
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14. Medical Category at the time of discharge.....

15. Are you a permanent resident of the State if so, attaching attested  
copy of State Subject/Domicile Certificate.

16. Qualifications :

Name of the Examination	Year of Passing	Name of University/ Board	Optional subject effected	Percentage of marks obtained	Division obtained

Note :ô Attested copies of all the certificates including marks  
certificates be attached.

17. Past experience, if any (brief note).....

.....

18. Have you ever been arrested/imprisoned under law.....

19. It is certified that I am a bona fied ex-serviceman is  
drawing.....army pension.

Date :

Place :

Signature of the applicant.



## رجسٹرڈ نمبر جے کے۔33



# جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 134۔ جموں - مورخہ 19 اگست 2021ء بمطابق 28 ساون 1943۔ ویروار۔ نمبر 21

## اشتہارات

از عدالت جوڈیشل مجسٹریٹ درجہ اول ڈورو

سرکار بنام عادل احمد بٹ وغیرہ

مثل نمبر 24 / ب تاریخ دائرہ 28-06-2021 تاریخ فیصلہ رواں

پرچہ علت نمبر 97 سال 2013 بذریعہ تھانہ پولیس ڈورو

بجرم زیر دفعات 457,380,411,201 RPC



## وارنٹ گرفتاری گشتی عام زیر دفعہ 512 ض ف

بخلاف ملزم : جاوید احمد رنگریز ولد غلام قادر رنگریز (المعروف ویراپن)  
ساکنہ بابا پورہ چوگام ضلع کوگام۔

حکم بنام اہلکاران پولیس یوٹی جموں و کشمیر

مقدمہ مندرجہ عنوان اُصدر، عدالت ہذا میں مورخہ 28-06-2021 کو  
چالان پیش ہوا ہے، جس میں I.O. متعلقہ نے بذریعہ تعمیل کنندہ اظہار کیا ہے کہ ملزم  
متذکرہ بالا کے نسبت کافی تلاش کی گئی، الا ملزم متذکرہ دستیاب نہ ہوا ہے۔ اس نسبت  
تعمیل کنندہ مسمی ریاض احمد زیر نمبری 1137/A حال متعنه تھانہ پولیس ڈورو کا بیان  
بھی قلمبند کیا گیا، جس کی رو سے اُس نے اظہار کیا کہ ملزم اُصدر کی دستیابی نسبت کافی  
تلاش بعمل لائی گئی، الا ملزم اُصدر کی دستیابی کی کوئی اُمید نظر نہ آرہی ہے اور ملزم  
اُصدر کسی نامعلوم جگہ روپوش ہوا ہے۔

لہذا ملزم متذکرہ مسمی جاوید احمد رنگریز پسر غلام قادر رنگریز ساکنہ بابا پورہ چوگام  
کے خلاف کاروائی زیر دفعہ 512 ض ف بعمل لائی جا رہی ہے اور اہلکاران پولیس  
یوٹی جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ جب کبھی اور جہاں کہیں بھی ملزم اُصدر



دستیاب ہو، اُسے گرفتار کر کے عدالت ہذا میں بحراست ضابطہ پیش کریں۔ وارنٹ ہذا

تا دستیابی ملزم زیر کار رہیں گے۔ تحریر 28-06-2021

سرکار بنام عادل احمد بٹ وغیرہ

مثل نمبر 24 / ب تاریخ دائرہ 28-06-2021 تاریخ فیصلہ رواں

پرچہ علت نمبر 97 سال 2013 بذریعہ تھانہ پولیس ڈورو

بجرم زیر دفعات RPC 457,380,411,201

وارنٹ گرفتاری گشتی عام زیر دفعہ 512 ض ف

بخلاف ملزم : محمد اشرف و گے ولد ولی محمد و گے ساکنہ کھرٹی اقبال پورہ لارنو

کو کرناگ انت ناگ۔

حکم بنام اہلکاران پولیس یوٹی جموں و کشمیر

مقدمہ مندرجہ عنوان الصدر، عدالت ہذا میں مورخہ 28-06-2021 کو

چالان پیش ہوا ہے، جس میں I.O. متعلقہ نے بذریعہ تعمیل کنندہ اظہار کیا ہے کہ ملزم



متذکرہ بالا کے نسبت کافی تلاش کی گئی، الا ملزم متذکرہ دستیاب نہ ہوا ہے۔ اس نسبت تعمیل کنندہ مسمی الطاف حسین زیر نمبری 910/A حال متعہ تھانہ پولیس ڈورو کا بیان بھی قلمبند کیا گیا۔ جس کی رو سے اُس نے اظہار کیا کہ ملزم اُصدر کی دستیابی کی نسبت کافی تلاش بعمل لائی گئی، الا ملزم اُصدر کی دستیابی کی کوئی اُمید نظر نہ آرہی ہے اور ملزم اُصدر کسی نامعلوم جگہ روپوش ہوا ہے۔

لہذا ملزم متذکرہ مسمی محمد اشرف و گے پسرو لی محمد و گے ساکنہ کھرٹی اقبال پورہ لارنو کے خلاف کارروائی زیر دفعہ 512 ض ف بعمل لائی جارہی ہے اور اہلکاران پولیس یوٹی جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ جب کبھی اور جہاں کہیں بھی ملزم اُصدر دستیاب ہو، اُسے گرفتار کر کے عدالت ہذا میں بحراست ضابطہ پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہیں گے۔ تحریر 28-06-2021

دستخط : جوڈیشل مجسٹریٹ درجہ اول ڈورو۔



EXTRAORDINARY

REGD. NO. JK633



**THE  
JAMMU AND KASHMIR OFFICIAL GAZETTE**

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Vol. 133] Jammu, Fri., the 29th Jan., 2021/9th Magha, 1942. [No. 44-a

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separate compilation

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**PART III**

**Laws Regulations and Rules passed thereunder.**

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**GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIATô HOUSING AND URBAN  
DEVELOPMENT DEPARTMENT**

Notification

Jammu, the 29th January, 2021.

ô ô ô

SO-28.ô In exercise of the powers conferred by Section 38 of the  
Street Vendors (Protection of Livelihood and Regulation of Street Vending)  
Act, 2014 (7 of 2014), and subject to the other provisions of the Act and



[illegible]

## Preliminary

**1. Short title, application and commencement :**ö (1) This Scheme may be called öThe Jammu and Kashmir Street Vendors (Protection of Livelihood and Regulation of Street Vending) Model Scheme, 2021ö.

(2) It shall be applicable to all the Municipal bodies/Municipalities in the Union Territory of the Jammu and Kashmir.

(3) It shall come into force with effect from the date as may be notified by the Government in the official Gazette.

**2. Definitions:** (1) In this Scheme, unless the context otherwise requires,

- (a) "Act" means the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014, (7 of 2014) of the Government of India ;
- (b) "Chief Executive Officer" means an officer incharge of the Municipal Corporation, Municipal Council, Municipal Committee, as the case may be ;
- (c) "Form" means form appended to this Scheme ;
- (d) "Government" means the Government of Jammu and Kashmir ;
- (e) "License" means the permission letter for vending issued under the Scheme ;
- (f) "Local authority" means the local authority as defined under clause(c) of sub-section (1) of section (2) of the Act;
- (g) "Mobile Vendor" means a person who sells goods or offers services moving from place to place as referred to in the Section 2 of the Act ;



- (2) The words and expressions used herein but not defined shall have the same meaning as respectively assigned to them in the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 (No. 7 of 2014) and the Jammu and Kashmir Street Vendors (Protection of Livelihood and Regulation of Street Vending ) Rules, 2020.

## Survey of Street Vendors

(2) Adequate publicity of the proposed survey shall be given :

- (3) The survey outcome shall be available in the digital format.



(4) The process of survey shall be completed within a period of six months. The survey should be conducted to identify all existing Street Vendors within the area of its jurisdiction and the natural markets developed over the years by holding a spot verification and at the time of verification, the Committee shall also record the identity of the Street Vendor, whether the vendor is mobile vendor or a Stationary Vendor of a lane, sidewalk, footpath, pavement, public park or in any other public place or private area, in a register maintained in **Form I**.

(5) The issuance of certificate of vending shall be completed within a period of one year from the date of commencement of the survey.

(6) The Town Vending Committee shall conduct a survey from morning 7.00 A.M. to 1.00 P.M. and from 3.00 P.M. to 10.00 P.M. by setting up registration camp in or nearby market and vending area.

(7) For the purpose of identifying existing Street Vendor and for registration, the Town Vending Committee shall use Geographic Information System (GIS) mapping, Digitalized photo census, Biometric Sensor. The survey will capture the geo-coordinates of the place of vending and other details of the vendors as indicated in the **Form II**.

(8) Subject to the provisions of the Act and the provision contained in the Scheme, the Town Vending Committee shall, as far as practicable, ensure that all existing Street Vendors identified in the survey conducted under Para 3 are accommodated in the vending zone.

**4. Matters relating to taking services from Survey Agency:** (1) Survey Agency will complete the survey work under the instruction and guidance of Town Vending Committee (TVC);

(2) Survey Agency will collect information in assigned format and will also collect important documents to verify the information (Voter ID) Aadhaar card/Driving License) ;

(3) The Survey agency will be time bound to complete the survey work as per the agreement with Town Vending Committee and Municipality;

(4) Database of information collected in the survey format will be immediately prepared by Survey Agency ;



(5) Ward-wise survey of vendors will be completed by the Survey Agency ;

(6) During the survey, the survey agency will not incite fear or foster greed in the street vendors or their family members.

## CHAPTER 3

## Vending Certificate and Indentity Card

**5. Eligibility Criteria for issue of Certificate of Vending :** A person shall be eligible for grant of certificate of vending if, &

- (a) he is a citizen of India ;
- (b) he is of sound mind ;
- (c) he has no other means of livelihood except street vending ;
- (d) he has completed the age of eighteen years or such other age as the Government may prescribe, on the date of consideration for issue of Certificate of Vending in case of existing Street Vendor and in any other case from the date of filing of application ;
- (e) his name appeared in the survey carried out by Town Vending Committee ; and
- (f) he does not hold any other parallel vending site in any other place. However, his spouse and any child above eighteen years of age may have a different vending site ;
- (g) the certificate of vending cannot be leased, rented or sold to any other person. An undertaking in this respect in the Form III shall be submitted by the street vendor to the town vending committee ;
- (h) Transfer of vending license upon the death of vendor should be in favour of his legal heir having no license at any other place zone in his name.



(2) The persons those who are carrying on street vending prior to commencement of the Act shall be given preference over the persons those who are intending to start Street Vending.

(3) The Town Vending Committee While considering for issue of certificate of vending shall also give preference to senior citizen, physically disabled, single mother, widow as well as Scheduled Castes, Scheduled Tribes, Other Backward Classes and minorities.

**6. Application for grant and renewal of certificate of Vending :** (1) Any person who intends to carry on business as Street Vendor, may apply to Town Vending Committee and who shall, after making necessary scrutiny in accordance with the provision of this Scheme, issue the Certificate of Vending.

(2) The application for grant and renewal of certificate of vending shall be made in Form-IV and the Street Vendor shall apply for renewal three months before expiry of the period of certificate of vending.

**7. Issue of Certificate of Vending :** (1) The street vendor identified survey shall be issued a certificate of vending (Form V) within a period of one year from the date of commencement of survey and subject to the conditions that :

- (a) the Vendor shall not construct any permanent structure on allotted space ;
- (b) the Vendor in any way shall not obstruct the free movement of pedestrians and traffic ;
- (c) the Vendor shall carry out vending by himself or through his family member or employee provided that such family member or employee has completed eighteen years of age and condition at para 5 (1) ;
- (d) the Vendor shall not take any intoxication while vending in the Vending Zone ;



- (e) he shall keep site allotted to him clean and dispose off their waste materials in a properly covered dustbin ;
- (f) he shall carry on his vending activities on such date and time as specified in the certificate ;
- (g) the Vendor shall not sit in any place other than the place mentioned in his Certificate of Vending :

Provided that the Street Vendor may change his place of business only with prior approval of the Town Vending Committee ;

- (h) the Vendor shall not lease out, or put the shop/stall on rent or otherwise transfer the shop/stall without prior approval of the Town Vending Committee ; and
- (i) the Vendor shall pay rent for the allotted site on first week of each month to the concerned Municipality at the rate as specified in the Certificate of Vending.

(2) The Authority reserves the right to shift the street vendor to other location under exceptional circumstances in the greater interest of public.

(3) The Town Vending Committee may impose such other conditions while granting certificate of Vending having regard to category of Street Vending and the nature of vending activities to be carried on by the Street Vendor.

(4) The Certificate of Vending and identity card is valid for a period of five years from the date of its issue and such certificate and identity card may be renewed from time to time on payment of a fee of as prescribed by the Government and on fulfillment of conditions specified in this scheme and subject to the provisions of the Act :

Provided that the Town Vending committee shall have the power to refuse to renew the certificate, if it has come to notice that the street Vendor has violated the provision of the Act or the Rules or the Scheme or any of the condition of the certificate of vending :



Provided further that no order of refusal of certificate shall be passed without giving reasonable opportunity heard to the concerned Street Vendor.

(6) In case of Street Vendor in whose name the Certificate of vending has been issued dies or is incapacitated or becomes ill, his nominee or where there is no nominee, one of his family members in order of priority may continue as Street Vendor with an intimation to the Town Vending Committee, which shall make necessary correction in the certificate and issue an identity card accordingly and such nominee or the legal heir shall continue his business for the unexpired period of the validity of the certificate subject to the same conditions.

**8. New Sites and Street Vendors :** (1) New street vendors who wish to carry on street vending during the intervening period of two surveys, shall apply through the local authority for the certificate of vending ; and

**9. Issue of identity card :**ô (1) Every person who is holding a Certificate of Vending shall be issued an Identity Card.

- (a) Photograph of the Street Vendor ;
- (b) Name of the Street Vendor ;
- (c) Age ;



- (4) In case of loss or damage of Identity Card, the Street Vendor may apply for issue of duplicate Identity Card to the Town Vending Committee accompanied with an affidavit, copy of FIR and fee of as prescribed by the Government.

## Renewal, Suspension and Cancellation of Certificate of Vending

(2) The certificate of vending may be renewed after every five years.



(3) The application for grant and renewal of certificate of vending shall be made in Form-IV and the Street Vendor shall apply for renewal three months before expiry of the period of certificate of vending.

(5) The renewable fees of the certificate of vending shall be prescribed by the Government from time to time.

(7) After expiry of the period one month, the certificate of vending may be renewed on payment of renewal fees and the penalty for the delayed period.

## 11 Cancellation and Suspension of Certificate of Vending :ô

- (a) breach of any of the conditions of Certificate of Vending mentioned in the Act or in this Scheme ;
- (b) the Certificate of Vending has been obtained on misrepresentation or suppression of material facts ;
- (c) false document or photograph has been used ;
- (d) any permanent structure has been constructed on the allotted place ;
- (e) if the area allotted has been increased, occupying the additional area unauthorizably ;



No. 44-a] The J&K Official Gazette, 29th Jan., 2021/9th Magha, 1942. 11  
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- (f) certificate of vending is rented, sold or leased out to any other person :
- (g) the certificate of vending has not been renewed after the prescribed period is over ;
- (h) fails to pay the monthly rent and dues of the Municipality for a period of three months ; and
- (i) the Street Vendor has employed any child below the age of 14 years (under Child Labour Prohibition and Regulations) Act, 1986 shall be given a warning by the Town Vending Committee. If he fails to carry out the direction given in the warning, his certificate of vending shall liable to be cancelled.

(2) Any street vendor who is guilty of misbehaviour with women vendor may be given a warning, based on the written complaint filed by the aggrieved person. However, on the repetition of such misbehaviour may result in the cancellation of the certificate of vending.

(3) Where the Town Vending Committee has made an order cancelling the certificate of vending of a Street Vendor, such vendor shall surrender his certificate of vending and identity card to the Town Vending Committee within the period as specified in such order of cancellation and his name shall be struck off from the register maintain for the purpose.

**12. Relocation and Eviction of Street Vendor :**ô (1) Public purpose for which a street vendor may be relocated and the manner of relocation :ô

- (a) Any project of public purpose requiring temporary or permanent shifting of the street vendors in the project related area, the concerned authorities shall :
  - i. Adjust the street vendors required to be removed, to the extent possible, in any nearby place temporarily or permanently ; and



12 The J&K Official Gazette, 29th Jan., 2021/9th Magha, 1942. [No. 44-a  
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- ii. After the completion of the project, the street vendors may be brought back and adjusted in the newly developed project area to the extent possible. The decision of the Town Vending Committee in this regard shall be final.

(b) The rehabilitation of the street vendors under any public purpose would be requiring the following steps, namely :ô

- i. Give an estimate of footfall status in an area where from the vendors are to be shifted ;
- ii. Total number of vendors to be shifted ;
- iii. Footfall status of the alternative sites ;
- iv. Holding capacity of the alternative sites ;
- v. Likely availability of vending space after the project is completed ;
- vi. Temporary allotment of sites for shifting the vendors which may be done by lots ;
- vii. Where number of vendors in the original site is more than the number which could be accommodated after the project is completed, method of allotment ;
- viii. The vendors who were carrying on business from a government land may either be placed in a plot owned by the public authority or can be organized on the road, depending on the availability of the space.

(2) Manner of evicting a street vendor :

- (a) The town vending committee shall bring in its agenda and discuss the issue of eviction of street vendors two months prior to the issuance of one month notice of eviction, so that a survey can be conducted to identify an equally ideal vending site for the street vendors.



- (b) The one month written notice shall be served personally or by a registered post in the name of the street vendor prior to the eviction.
  - (c) In case the registered post comes back undelivered the said notice shall be pasted in the area where from such person is carrying on his vending activity. That would be deemed to be considered as the service of the notice to the person concerned.
- (3) Manner of evicting a street vendor physically on failure to vacate :
- (a) Any street vendor who fails to move out on the expiry of the period mentioned in the eviction notice shall be liable to pay default amount for each day.
  - (b) The default amount or the penalty payable by the street vendor for this purpose shall be as prescribed by the Government from time to time. However the penalty shall not exceed the value of the goods seized.
  - (c) If within fifteen days/ he himself fails to vacate the allotted place local authority shall physically remove him from the site if needed by taking police help.

## CHAPTER 5

## Fee and Penalties

**13. Vending Fees to be paid on basis of commercial potential of the site of the vending :**ô The town vending committee shall fix vending fees depending on the footfall of the area but such fees shall be as prescribed by the Government from time to time. Every year ten per cent fee shall be increased. The Municipality may collect vending fees annually if it deems fit.

**Explanation :** The vending fees shall be according to the category of the street vendors and the status of the market. The rationale is obvious. Income potential differs from area to area. High footfall areas offer high vending opportunity compared to lean footfall areas. Therefore it is obvious to fix the fees at different rates for different categories of vending zones. Similar position may be for varied rates for cities and towns of different categories.



**14. Payment of fee and fine :** (1) For the purpose of deposit of money, whether as a fee, rent or fine or penalty, payable by the Street Vendor under the Act, Rules and the Scheme, every Town Vending Committee shall open a Bank account in any Scheduled Bank and operated by such officer of the Town Vending Committee as the Municipality may direct.

(2) An annual audit of such account shall be carried out by the TVC.

(3) The Street Vendor may deposit the fees including monthly rent and such other fee in that account with his name and Registration Number allotted to him and may also be paid in a counter opened for the purpose in the Office of the Town Vending Committee or such other place as the Town Vending Committee direct publish from time to time.

## CHAPTER 6

## Classification of Street Vendors

**15. Classification of vendors :** (1) Vendors can be classified into two main types :

- (a) Permanent/stationary;
- (b) Mobile vendor.

(2) Vendors can also be categorized with reference to the places from where they are operating, for example

- (a) natural markets ;
- (b) weekly markets ;
- (c) heritage markets.

**16. Special Categorization :** (1) The following categories of vendors must be given preference while granting vending certificate

- (a) Disabled person ;
- (b) Senior citizen ;



- (2) Preference shall be given to the above category of vendors in distribution of certificates based on recommendations by the Town Vending Committee.

## CHAPTER 7

**18. Terms and Conditions of seizure of goods by the Municipality :**ô (1) Where the goods of the street vendor are to be seized under sub-section (1) of section 19 of the Act, the following aspect requires to be taken into consideration, namely :ô

- (a) Only the authorized person from the Municipality shall conduct the seizure of the goods ;
- (b) The list of goods shall be made and signed by the person/officer authorized by the Municipality and ;
- (c) The street vendor whose goods are seized should be given a proper receipt by the authority.

19. **Manner and fine for reclaiming seized goods :**ô The Municipality shall release the perishable goods on the same day and in case of non-perishable goods within two working daysô

- (a) The fees to be paid by the street vendor for reclaiming the good shall not exceed the value of the total goods so seized.
- (b) In the case of vending of goods without the certificate, the charge shall be prescribed by the Government from time to time for reclaiming the seized goods.



(c) In the case of perishable goods, the vendor may be given option to take the goods back immediately or within the working period in the next twenty-four hours by paying necessary penalty.

## Social Audit

(2) The Municipality shall nominate by name one member each from the following streams, namely :ô

- (3) The Municipality shall provide the adequate Secretariat staff with office space and equipments to the Social Audit Committee.

(a) The social audit shall be carried out at least once in three years. The schedule for conduct of the social audit shall be decided three months in advance.

- (b) The Town Vending Committee shall provide details of all relevant information, at least a fort night before the social audit process commences. The relevant information shall include,ô
- i. Status of implementation of the Act and the Scheme for Street Vendors ;
  - ii. A record of the minutes of the meeting of the Town Vending Committee conducted in preceding year ;



- iii. Record of all registered street vendors ;
  - iv. Record of appeals made before the Municipality ;
  - v. Record of all grievances/disputes brought before the Grievance Redressal Committee ;
  - vi. Record of the total number and details of evictions and seizer of goods and relocation of street vendors taken place in preceding year ; and
  - vii. Records of social audit reports, if any, taken place previously.
- (c) The Social Audit Committee shall conduct meetings and focused group discussions with street vendors on various aspects of the implementation of the Act and the scheme.
- (d) The Social Audit Committee shall record, in writing, the grievances of street vendors on any issue faced by them.
- (e) At the culmination of the social audit process, the committee shall record its findings, in writing.
- (f) The Social Audit Committee shall hold a social audit public meeting at the office of the Town Vending Committee. The members of the Town Vending Committee and representatives of the Municipality shall attend the meeting. The Street vendors of the particular area and other persons from the public may participate in the meeting. The social audit unit shall read out its findings at the meeting. The Street vendors shall be encouraged to testify and the Town Vending Committee shall respond to each of the issue identified in the social audit by giving clarification and/or explanation to the affected party and the public as to why a certain action was taken or not taken.
- (g) The social audit unit shall give adequate notice to the social audit public meeting by a public notice.



- (h) The Municipality shall on each finding of the social audit in cases of gaps, lapses or deviations, fix responsibility and shall take immediate corrective or disciplinary action. In case of a dispute, an administrative enquiry shall be conducted by the Municipality and action taken accordingly in the shortest time possible and in any case not later than a month.
- (i) The statutory requirement of conducting social audit shall not preclude any independent initiative to carry out normal audit of accounts.
- (j) The social audit report submitted in this process shall form part of the record and shall be responded to by the Town Vending Committee. Where shortcomings are found immediate action shall be taken as per this scheme or the rules. The social audit report as well as the action taken report shall form part of the record and shall be available for public information.
- (k) The cost of conducting social audit shall be met from the budgetary provisions of the Town Vending Committee.

(4) The agreement should also specify that the vendor will not sell contaminated food.



- 22. Terms and conditions for street vending for upkeep/ public health and hygiene.** (1) The Municipality of the concerned area shall provide the vendors a proper place to dispose of their waste materials;

- (2) The street vendors shall use proper covered dustbins to dispose of the waste materials. The used water shall also be disposed of in covered container ;
- (3) The Municipality shall ensure and provide the street vendors clean and fresh water along with the street light facility, wherever it is possible ; and



(3) The grievance redressal committee shall maintain the records relating to the applications filed before it.



(4) The Municipality shall maintain the records of seizure of goods from any street vendors, counterfoil of the receipt given to the street vendors after seizure of goods, compensation paid for the seized goods and the penalty recovered from the street vendors.

26. **The principles for determining of vending zones.** (1) Foot fall, status, road width and density of the vehicular and pedestrian movement shall be the cornerstone for deciding vending and no vending zone.

(a) There shall not be any restriction-free-vending zone in the city. The capacity of an area would put the ultimate limit on the number of street vendors which can be positioned in that area. However, there shall not be any restriction on mobile vending in that area if continuously move without affecting traffic and commuters' movements.

- i. there shall not be any stationary street vending on a road having width upto 3.5 meters. However, street vending shall be allowed, if such road is declared as no vehicular road ;
- ii. there shall not be any stationary street vending on a road having width between 6 meters to 9 meters. However, street vending shall be allowed if such road is declared as one-way vehicular road ;



- iii. there shall be only one side stationary street vending on a road having width between 12meters to 24 meters, while stationary vending shall be allowed on a road having road width of 30 meters and above;

- iv. the number of street vendors shall be decided by considering holding capacity of each designated vending area on such a road ;

v. such stationary street vending shall be allowed after taking the clearance from traffic police regarding the smooth vehicular and pedestrian movement. If required, roadside parking shall be banned in such area; and

- vi. the mobile vending shall be allowed on the road keeping the traffic and pedestrian movement in view.

(c) In the no vending zones :  $\hat{\omega}$

- i. The town vending committee may decide the distance to be kept free from street vending near the important institute like the Secretariat District Collectorate, offices of District Panchayat, Municipal Corporation, Municipality, Nagar Panchayat, Court, Cantonment Board and State/UT archeological monument attracting a high footfall at its discretion taking into account the specifics of the area concerned.

- ii. No vending within fifty meters from any crossing of two/ or more roads on all sides, both sides of the railway crossing and any declared heritage structures by the Municipality.

**27. Principles to determine the holding capacity of vending zones.** (1) The following shall be the principles for determining the holding capacity of the vending zone :

- (a) 2.5% of the population of a ward or zone shall be accommodated ;



No. 44-a] The J&K Official Gazette, 29th Jan., 2021/9th Magha, 1942.      23  
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- (b) the holding capacity will indicate the maximum number of vendors that can be accommodated in a defined vending zone. This shall be calculated on the basis of total area available for street vending divided by the standard unit size decided by the TVC ;

(2) The following criteria may be kept in mind by the Town Vending Committee in determining the vending zones, namely :ô

- (a) a maximum of 2.2 square meter area as vending area shall be provided to each vendor/hawker with dimension of 1.8 meter x 1.2 meter ;
- (b) passage of 1.0 meter width in front of stalls/push carts shall be reserved as extension for consumers/users to stand or buy goods ;
- (c) a walkway/footpath of 1.0/2.0 meters width shall be provided for pedestrians, in front of extension space depending on the road width ;
- (d) in no case, the carriage-way shall be allowed to be used for street vending ;
- (e) If the width of road permits, street vending may be allowed on both sides of the road ; and
- (f) no vending activity shall be allowed at a distance of 50 meters from any junction/exit/entry of road.

**28. Principles of relocation.** The principle of relocation shall be subject to the following, namely :

- (a) the relocation shall be avoided as far as possible, unless there is clear and urgent need for the land in question ;
- (b) affected vendors or their representatives shall be involved in planning and implementation of their habilitation project ;







## FORM I

*[See Para 3 (4) of the scheme]*

## SURVEY VERIFICATION OF REGISTER

1. Name of the Municipality-
2. Name of the Vending Zone-
3. Territorial area covering the Vending Zone-
4. Number of Vending Zone-
5. Number of existing Stationary Street Vendors identified-
6. Number of Mobile Vendors-

Sl. No.	Name & Address of the Street Vendors	Name of place i.e. Lane/Street/ Market	Status of Street Vendors New/ existing	Public/Private area.	Nature of Street Vending	Date of survey
1	2	3	4	5	6	7

Dated :

Signature

Place :

N.B.-In case new applicant, date of application is to be mentioned in Column (4).



26 The J&K Official Gazette, 29th Jan., 2021/9th Magha, 1942. [No. 44-a  
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## FORM-II

*[See Para 3 (7) of the scheme]*

## SURVEY QUESTIONNAIRE

Sr. No.	Questions
1	Photograph of Vendor with Location
2	Photograph of Vendor with the vending place
3	Identity Proof-1(Single Photograph)
4	Identity Proof-2 (Single Photograph)
5	Video of the vendor, vending place and its surrounding
6	Ward number
7	Street Name
8	Nearby Landmark
9	<p>Type of area</p> <p>    <input type="checkbox"/> Residential</p> <p>    <input type="checkbox"/> Commercial area/Natural Market</p> <p>    <input type="checkbox"/> School Collage Area</p> <p>    <input type="checkbox"/> Religious site</p> <p>    <input type="checkbox"/> Garden Open space</p> <p>    <input type="checkbox"/> Railway Station</p> <p>    <input type="checkbox"/> Industrial area</p> <p>    <input type="checkbox"/> Public place or Government Office</p> <p>    <input type="checkbox"/> Heritage site</p> <p>    <input type="checkbox"/> Highway</p> <p>    <input type="checkbox"/> Bus Stand</p> <p>    <input type="checkbox"/> Hospitals</p> <p>    <input type="checkbox"/> Other</p>







	É Sea food vendor É Dairy and poultry products É Bakery products É Pooja products É General household products É Miscellaneous É Service providers É Others
12	If Service Provider than Nature of Business É Cobbler É Barber É Tailor É Repairs automobiles É Mechanical work É Technical work É Dhobi É Painter É Chaabiwala É Kabaadiwala. É Others
13	Name of Thela/Vending Place
14	Vendor's Name: First Name







[illegible]

	<input type="checkbox"/> Other Backward Class(OBC) <input type="checkbox"/> Other
28	If you come under SC/ST/OBC Category, Do you have Certificate for the same? <input type="checkbox"/> Yes <input type="checkbox"/> No
29	Marital Status- <input type="checkbox"/> Married <input type="checkbox"/> Unmarried <input type="checkbox"/> Widow/Widower <input type="checkbox"/> Divorced <input type="checkbox"/> Separated
30	Level of Education Attained - <input type="checkbox"/> Illiterate <input type="checkbox"/> Primary (1-5) <input type="checkbox"/> Middle School ( 6-8) <input type="checkbox"/> Secondary(9-10) <input type="checkbox"/> Senior Secondary ( 11-12) <input type="checkbox"/> Diploma <input type="checkbox"/> Graduate <input type="checkbox"/> Postgraduate
31	Details of Disability- <input type="checkbox"/> Visually Impaired <input type="checkbox"/> Deaf - <input type="checkbox"/> Dumb <input type="checkbox"/> Disabled by hand/leg <input type="checkbox"/> Mentally Challenged <input type="checkbox"/> Other







[illegible]

43	Total number of earning members-Male
44	Total number of earning members-Female
45	Total number of children earning (below 14-Both Male and Female)
46	Is there any other person who worked as a street vendor except you in your house?
	<input type="checkbox"/> Yes <input type="checkbox"/> No
47	Relation with you- <input type="checkbox"/> Husband <input type="checkbox"/> Wife <input type="checkbox"/> Brother <input type="checkbox"/> Sister <input type="checkbox"/> Mother <input type="checkbox"/> Father <input type="checkbox"/> Others
48	Ful name of Member (working/worked as street vendor) -
49	Do you have any other source of income? <input type="checkbox"/> Yes <input type="checkbox"/> No
50	What work did you do before street vending?
51	In which city did you work before?
52	For how many years have you been engaged in street vending?
53	For how many years have you been working in this area?







62	How much land space are you using for your vending ? (In sq.ft.)
63	Are you using any vehicle for vending? <input type="checkbox"/> Yes <input type="checkbox"/> No
64	If yes, then which of the following vehicles do you use? <input type="checkbox"/> Tempo. <input type="checkbox"/> Auto. <input type="checkbox"/> Van. <input type="checkbox"/> Handcart. <input type="checkbox"/> Bicycle. <input type="checkbox"/> Bullockcart <input type="checkbox"/> Other
65	Ownership of vehicle . <input type="checkbox"/> Self <input type="checkbox"/> Family <input type="checkbox"/> On rent <input type="checkbox"/> Partnership <input type="checkbox"/> Other
66	How much rent do you pay for these vehicles ? (if any)
67	How many months do you work in a year?
68	Do you do the same work mostly? <input type="checkbox"/> Yes <input type="checkbox"/> No
69	Are you satisfied with this location as a place for your business? <input type="checkbox"/> Yes <input type="checkbox"/> No



70	<p>If yes, then why?</p> <p>É The place is nearby to your house</p> <p>É Good relations with the people in this area</p> <p>É No local interference</p> <p>É Crowded place</p> <p>É Good locality</p> <p>É Well known market</p> <p>É Convenient for customers</p> <p>É Near office or educational institution</p> <p>É Other</p>
71	<p>If no, then why?</p> <p>É Less income</p> <p>É Unsuitable for health and business</p> <p>É Local people object against the business</p> <p>É Interference by employees of Municipal Corporation</p> <p>É Problems created by Police Department</p> <p>É Transportation problem</p> <p>É Other</p>
72	<p>Number of people you have employed-</p> <p>É None.</p> <p>É 1.</p> <p>É 2.</p> <p>É Others.</p>
73	<p>How do you pay your employees?</p> <p>É DailyWages</p> <p>É Weekly</p> <p>É Monthly</p>
74	<p>Average Amount paid to employees-</p>



[illegible]

75	Do you pay any rent for your vending place? É Yes É No
76	To whom do you pay the rent? É Civic Body É Nearby shopkeeper É Owner of the place É Other
77	Type of payment É Daily É Weekly É Monthly É Other É Amount
78	Amount of Payment
79	From where do you purchase goods for carrying out your business ? É Manufacturer É Whole sale market É Distributor É Other
80	From where do you get the initial seed money to purchase goods? É Own money É From landlord É From Banks É Credit Societies É Other sources







[illegible]

93	Are you satisfied with the work you have selected? <input type="radio"/> Yes <input type="radio"/> No
94	If the authority provides a vending place elsewhere in the same area or any other area, are you ready to shift your cart/ setup to the allocated area for vending goods ? <input type="radio"/> Yes <input type="radio"/> No
96	Would you need a covered market space with the raised platform and storage space? <input type="radio"/> Yes <input type="radio"/> No
97	Are you a member of any street vendor union or association <input type="radio"/> Yes <input type="radio"/> No
98	Name of the organization
99	Are you aware of "The Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014"? <input type="radio"/> Yes <input type="radio"/> No
100	Are you interested in obtaining a license under the Street Vendor Act ? <input type="radio"/> Yes <input type="radio"/> No
101	How much Annual fee are you willing to pay for the license? <input type="radio"/> Rs. 100 <input type="radio"/> RS. 250 <input type="radio"/> Rs. 500







107	Do you have (access to ) storage facility at your place of work? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Not Applicable
108	What type of light source do you use? <input type="radio"/> None <input type="radio"/> Streetlight <input type="radio"/> Gas/Oil Lamp <input type="radio"/> Battery Operated <input type="radio"/> Solar Light <input type="radio"/> Generator <input type="radio"/> Paid Electricity Connection <input type="radio"/> Other
109	Are you aware of any Traffic problems caused because of Street Vending? <input type="radio"/> Yes <input type="radio"/> No
110	If yes ,what are the solutions to avoid problems ?
111	Which type of facility do you desire for your business ? <input type="radio"/> Different market <input type="radio"/> Water <input type="radio"/> Electricity <input type="radio"/> Common toilet <input type="radio"/> Common lighting facility <input type="radio"/> Waste disposal facility <input type="radio"/> Security <input type="radio"/> A cleaning person <input type="radio"/> Parking <input type="radio"/> Labour for parking and transport management
112	Any special Remarks or Comment of Vendor.
113	Surveyor's Note



FORM III

*[See Para 5(1) of the scheme]*

FORMAT FOR LETTER OF UNDERTAKING BY A STREET  
VENDOR

I, .....wife/son/daughter of  
Shri .....Registration/Certificate of Vending  
No. .... of.....Town vending Committee, hereby  
declare that the certificate of Vending granted to me shall not be leased,  
rented or sold to any other person.

I, further declare that I am not engaged in any other business/not vending  
from any other vending site/not employed with any organization.

Name and Signature of the Vendor : .....

.  
Registration/ Certificate of Vending Number :.....

Date :

Signature of the Vendor

Place :



42 The J&K Official Gazette, 29th Jan., 2021/9th Magha, 1942. [No. 44-a  
oo

FORM IV

*[See Para 6 (2) & 10 (3) of the scheme]*

APPLICATION FOR GRANT OF CERTIFICATE OF VENDING

1. Name of the Applicant-
2. Residential Address-
3. Name of dependent family members-
4. Nature of Vending-
5. Proposed area of Street Vending (Vending Zone)
6. Aadhaar Card No.-
7. Whether belong to BPL category-

I, undertake that in the event of any of the information furnished above being found to be false or incorrect in any respect, the certificate is liable to be cancelled.

Dated :

Signature

Place :



FORM V

*[See Para 7 (1) of the scheme]*

FORMAT FOR CERTIFICATE OF VENDING

1. Name of the vendor :
2. Name of the spouse or dependent child if involved in vending with the vendor :
3. Photo of the vendor along with his spouse or dependent child if involved in vending with the vendor :
4. Age and sex of the person whose photo appears :
5. Address of the street vendor where he is residing :
6. Category of vending :
  - i. Mobile :
  - ii. Stationary :
  - iii. Any other (specify) :
7. Name of the vending place (whether it is historical place, park, market, in front of school, college, hospital, bus stand or mall etc.) :
8. Name of the local authority :
9. Date of issue of the certificate of vending :
10. Validity of certificate (since the law provides for survey every five year, the certificate of vending should also be issued for a period of five years) :
11. Unique registration number :
12. The signature of the authority with seal :



44 The J&K Official Gazette, 29th Jan., 2021/9th Magha, 1942. [No. 44-a  
oo

FORM VI

*[See Para 9 (1) of the scheme]*

IDENTITY CARD

- |     |   |               |
|-----|---|---------------|
| 1.  | Name                                      | Photograph    |
|     | (Street Vendor)                           | Passport size |
|     |   | Signature     |
| 2.  | Registration No.                          |               |
| 3.  | Age                                       |               |
| 4.  | Sex                                       |               |
| 5.  | Residential Address                       |               |
| 6.  | Vending Zone/Address of the vending site: |               |
| 7.  | Category of Vending :                     |               |
| 8.  | Municipal Ward :                          |               |
| 9.  | Telephone No. (if any) :                  |               |
| 10. | Name of the Police Station :              |               |
| 11. | Blood Group :                             |               |
| 12. | Identity Card valid upto :                |               |
| 13. | Phone number of the vendor :              |               |



EXTRAORDINARY

REGD. NO. JK 33



# THE JAMMU & KASHMIR OFFICIAL GAZETTE

Vol. 133] Jammu, Tue., the 27th April, 2021/7th Vai., 1943. [No. 4-j  
Separate paging is given to this part in order that it may be filed as a  
separate compilation.

## PART III

**Laws, Regulations and Rules passed thereunder.**

GOVERNMENT OF JAMMU AND KASHMIR

CIVIL SECRETARIAT HOUSING AND URBAN  
DEVELOPMENT DEPARTMENT

Notification

Jammu, the 27th April, 2021.

SO-150. In exercise of powers conferred by section 34 read with  
Section 51 of the Jammu and Kashmir Municipal Act, 2000, the  
Government hereby makes the following bye-laws for Procedure and  
Conduct of Business of Municipalities ; namely :

1. **Short title and commencement.** (1) These bye-laws may  
be called the Jammu and Kashmir Municipality (Procedure and Conduct  
of Business) Bye-laws, 2021.



(2) These shall come into force from the date of their publication in the official Gazzette.

- (a) **Act** means The Jammu and Kashmir Municipal Act, 2000 ;
- (b) **Clause** means a clause under these Bye-Laws ;
- (c) **Form** means a Form appended to these Bye-Laws ;
- (d) **Roll** means roll of attendance of the Members of a Municipal Council or a Municipal Committee ;
- (e) **Section** means a section of the Act ;
- (f) **Point of order** means statement asking the presiding authority to prioritize any item of business of asking the presiding authority to correct any irregularity in the conduct of business.

(2) Words and expressions used but not defined in these Bye-Laws shall have the same meanings as assigned to them in the Jammu and Kashmir Municipal Act, 2000.

### Time and Place of Meetings

(2) The date, time and place of subsequent meetings of a Municipal Council or a Municipal Committee shall be fixed by the President by a general or special order passed in that behalf.

(3) The President or in his absence the Vice-President may, whenever he thinks fit, and shall upon a requisition in writing by not less



No. 4-j] The J&K Official Gazette, 27th April, 2021/7th Vol., 1943. 3  
than one half of the total number of Members of the Municipality to  
convene either an ordinary or a special meeting of a Municipal Council  
or a Municipal Committee.

(4) If the office of the President and Vice-President are lying vacant,  
the duties assigned to the President under clause (3) shall be performed  
by the Chief Executive Officer/Executive Officer as the case may be.

4. **Roll of Members.** (1) There shall be a roll of Members elected  
or nominated under sub-sections (2) and (3) of Section 10 of the Act.

(2) There shall be an attendance register maintained in Form-B  
showing the names of the Members. The register shall be placed in the  
meeting hall at the commencement of each meeting and every Member  
present and participating in the deliberations of the meeting shall append  
his signature therein against his name in such register.

(3) Every Member immediately after he has made and subscribed  
at a meeting of a Municipal Council or a Municipal Committee an oath  
or affirmation under sub-section (1) of Section 27 of the Act shall, before  
taking his seat, sign the said roll.

(4) The oath or affirmation of the Members shall be administered  
by the Deputy Commissioner of the concerned District or an officer  
authorized by him in this behalf.

(5) The Members shall sit in such orders as the President may  
determine.

## CHAPTER-II

### Election of President and Vice-President

5. **Election of President.** (1) Every candidate for election as  
President must be a Member chosen by direct election from the territorial  
constituencies in the municipal area.

(2) Every such candidate shall be nominated by a nomination paper  
in Form-1 which shall be signed by the candidate and two other elected  
Members as proposer and seconder and delivered to the Chief Executive  
Officer/Executive Officer, between the hours of Ten O'clock in the



4 The J&K Official Gazette, 27th April, 2021/7th Vol., 1943. [No. 4-j  
forenoon and Four O'clock in the afternoon at least three clear days  
before the date of meeting at which the election of President is to be  
held.

(3) No Member shall sign as proposer or seconder of the nomination paper of more than one candidate. In case where a member has signed as proposer or seconder nomination papers for more than one candidate, the nomination paper for the candidate which has been first received shall be deemed to be valid and the other nomination papers shall be deemed to be invalid.

(4) Any candidate may withdraw his candidature at any time before the election is proceeded within the meeting.

(5) The meeting to conduct election of the President shall be presided over by a Member who is not a candidate for such election and who is either the consensus candidate or the senior most among the Members, as may be determined by the Chief Executive Officer/Executive Officer. The Presiding Member shall have the right to exercise his vote in the election of the President.

(6) When there is only one candidate validly nominated or when after withdrawal of candidature there is only one such candidate, the presiding authority shall declare him to be duly elected as President.

(7) When two or more validly nominated candidates offer themselves for election at the meeting, the election shall be held by secret ballot in the manner hereinafter provided.

(8) Ballot papers containing the names of persons duly nominated shall be furnished to the elected Members at the meeting.

(9) The ballot box shall remain open for the casting of votes for such period as may be fixed by the presiding authority.

(10) No Member shall vote for more than one candidate. At the time of voting, each Member shall place a cross (X) on the right hand side of the ballot paper opposite the name of the candidate for whom he wishes to vote, and will then fold the ballot paper and without showing the front of the paper to any person, insert the same in the ballot box in the presence of the presiding authority.



(13) The votes for all the candidates shall then be counted by the presiding authority with the assistance of the Chief Executive Officer/ Executive Officer or such other Municipal Officer or employee as may be designated by the presiding authority and the candidates shall be arranged in the order of the number of votes obtained by each of them.

(14) When there are only two candidates or when after withdrawal of candidature there are only two candidates, the candidate obtaining more number of valid votes shall be declared elected as President.

(15) When there are more than two candidates, and no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and votes shall be taken again for the remaining candidates in the same manner as prescribed in the foregoing clauses and, in this manner the candidate obtaining the smaller number of votes at each ballot shall be excluded from the election, until one candidate obtains more votes than the aggregate votes of the remaining candidates, and he shall be declared as President.

(16) Where at any ballot any of three or more candidates obtain an equal number of votes and one of them has to be excluded from the election under sub-clause (15) of the clause 5, the determination as between the candidates whose votes are equal, of the candidates, who is to be excluded, shall be by drawing of lots.

(17) The ballot papers shall be kept by the Executive Officer for three months from the date of election and may then be destroyed by him.



6. **President to preside over the rest of meeting.** As soon as the President is elected, he shall preside over the meeting for the transaction of the rest of the business thereof.

**7. Election of Vice-President.** The provisions of clauses (5) of these Bye-Laws shall apply, as far as may be, to the election of Vice-President subject to the modification that any reference therein to the presiding authority shall be construed as a reference to the President.

## Arrangement of Business and List of Business

**8. Ordinary and Special Meetings.** (1) Each Municipal Council and Municipal Committee shall ordinarily hold at least one meeting every month.

(2) The President or in his absence the Vice-President may, whenever he thinks fit and shall, within a period of ten days from the date of receipt of a requisition signed by not less than one half of the total number of members, convene either an ordinary or a special meeting of the Municipal Council or the Municipal Committee as the case may be.

(3) An ordinary meeting of a Municipal Council or a Municipal Committee shall deliberate an issue of general municipal administration, while a special meeting may be convened for transaction of business of an urgent public importance.

9. **Quorum.** (1) The quorum necessary for the transaction of business at an ordinary meeting of a Municipal Council or a Municipal Committee shall be one-third of the number of the sitting members, subject to a minimum of three members.

(2) The quorum necessary for the transaction of business at a special meeting of a Municipal Council or a Municipal Committee shall be one-half of the number of the sitting members.

(3) If at any ordinary or special meeting of a Municipal Council or Municipal Committee a quorum is not present, it shall be the duty of the President or the Member presiding on such meeting either to adjourn the meeting to some other day or to suspend the meeting for the time being until there is a quorum.



- (a) Confirmation of the minutes of the last meeting kept in accordance with Part-I and Part-II of Form-C ;
  - (b) any election by a Municipal Council or a Municipal Committee ;
  - (c) questions and resolutions ;
  - (d) resolutions of the Standing Committees ;
  - (e) letters from the Executive Officer and business from the Executive Officer ;
  - (f) letters from Government and others ; and
  - (g) any other matter.
- (2) The agenda of a special meeting shall be arranged in such order as the President may decide.

**11. Notice of meetings and business.** (1) A notice of meeting of a Municipal Council or Municipal Committee shall be sent by the Chief Executive Officer/Executive Officer in Form-A appended to every member specifying the date, time and place of meeting.

(2) A list of the business to be transacted at every meeting except at an adjourned meeting shall be delivered in person to a Member or sent through registered post at the recorded address, or shall be sent on registered email of the Member at least five days before the time fixed for such meeting and no business shall be brought before or transacted at, any meeting other than the business of which a notice has been so given :

Provided that an urgent meeting may be called on a notice of a lesser period than five days :

Provided further that any Member may send or deliver to the Chief Executive Officer/Executive Officer notice of any business beyond the







(7) No question shall

- (a) bring any name or statement not strictly necessary to make the question intelligible ;
- (b) contain arguments, ironical expressions, imputations, epithets or defamatory statement ;
- (c) relate to an expression of opinion or the solution of a hypothetical proposition ;
- (d) relate to the character or conduct of any person except in his official or public capacity ;
- (e) relate to a matter which is not primarily the concern of a Municipal Council or a Municipal Committee or any of the Municipal authorities ;
- (f) make or imply a charge of a personal character ;
- (g) relate to question of policy too large to be dealt with within the limits of an answer to a question ;
- (h) Repeat in substance question already answered or to which an answer has been refused ;
- (i) relate to information on trivial matters ;
- (j) ordinarily relate to information on matters of past history ;
- (k) relate to information set forth in accessible documents or in ordinary works of reference ;
- (l) raise matters under the control of bodies or persons not primarily responsible to a Municipal Council or a Municipal Committee ; or
- (m) relate to any matter which is pending adjudication before a Court of Law.

(8) If a question contains a statement, the Member shall be responsible for the accuracy of the contents of such statement.



10 The J&K Official Gazette, 27th April, 2021/7th Vol., 1943. [No. 4-j  
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(9) Subject to the provisions of this rule, every question which has not been disallowed shall be entered in the list of questions for the day and shall be called, if the time allowed permits, in the order in which it is enumerated in the list.

(10) After the question has been answered, any Member may put supplementary questions for the purpose of further elucidating any matter of fact regarding which an answer has been given :

Provided that, the presiding authority may disallow any supplementary question if, in its opinion, it infringes any of the provisions of these regulations.

(11) If the presiding authority is satisfied that sufficient information is not available for an answer, it may direct that the answer to the question may be given later at the same meeting or at the next ordinary meeting of a Municipal Council or a Municipal Committee.

(12) No debate or speech shall be allowed on any question or answer supplied.

(13) All questions, whether allowed or disallowed or replied, shall be incorporated in Part-III of the register in Form-C.

**14. Question of absent members.** If a Member who has given notice of a question is not present when called upon by the President, the question shall be deferred. The member shall be given another chance to move the same question in the two subsequent meetings after which the question shall be deemed to have been dropped.

**15. Postponement of questions.** If the Chief Executive Officer/ Executive Officer declares that the answer to any question is not ready, the question shall stand over to any other meeting to be fixed by the President on receipt of the Chief Executive Officer/Executive Officer's answer to the question, and at such meeting the Chief Executive Officer/ Executive Officer shall give his answer.

**16. Mode of asking questions.** (1) When the time for asking questions arrives, the President shall call successively each Member in whose name a question appears on the list of questions.



(3) No Member shall be permitted to send notice of more than three resolution for a monthly meeting.



23. **Withdrawal of resolution.** A Member who has moved to resolution or an amendment to a resolution shall not withdraw the same except with the leave of the Chair.



- (1) Where a notice of intention to move a resolution requiring the President or Vice-President of Municipal Committee/Council to vacate his office, a special meeting of the elected Councillors shall be called for. Such special meeting shall be requisitioned



14 The J&K Official Gazette, 27th April, 2021/7th Vol., 1943. [No. 4-j  
and signed by not less than half of the total numbers of the  
elected Councillors which shall be given to the President of  
the concerned Municipal Council/Committee. Notice shall be  
issued by the President Municipal Committee/Council for the  
special meeting within seven days from receipt of requisition  
from the elected councillors.

- (2) Notwithstanding anything contained in these Bye-laws, the President or Vice-President of the municipality shall not preside over a meeting in which a motion of no confidence is discussed against him. Such meeting shall be presided over by a Councillor elected by majority of the elected members and the persons against whom a motion of no confidence is moved, shall have a right to vote and to take part in the proceedings of such a meeting.
- (3) In case the notice not being issued by the President within the stipulated date or not convening the meeting within stipulated time, the special meeting shall be called by the Chief Executive Officer/Executive Officer within three days thereafter.
- (4) The notice issued for considering no confidence motion against the President or Vice-President shall clearly contain the reasons/allegations on which the No Confidence Motion is to be brought.
- (5) As soon as the meeting, called for, commences, the presiding member at the meeting shall read out the motion on which the meeting has been called before the members present and declare it open for deliberations. During deliberations, opportunity shall be given to the President or Vice-President against whom no confidence motion is moved, to defend himself. The motion shall be put to vote by the presiding member by secret ballot on the same day. If motion of no confidence is carried by resolution passed by the majority of elected members and voting at its special meeting the President or Vice-President against whom such resolution is passed shall cease to hold office forthwith.



- (6) In the event of both the posts of President or Vice-President falling vacant as a sequel to the passage of the No Confidence Motion, till the new President or Vice-President are elected for the remainder period, all the powers and duties which, under the provisions of the Act or the Rules or the regulations made thereunder or any other law for the time being in force, shall be exercised by the Chief Executive Officer/Executive Officer of the Municipality.
- (7) On completion of the no confidence motion process, the Chief Executive Officer/Executive Officer shall submit a written report to the District Election Officer immediately.
- (8) Where the posts of President or Vice-President fall vacant as a consequence of no confidence motion, the process of electing new President or Vice-President for the remainder period shall be completed within 30 days by the Deputy Commissioner (District Election Officer) of the concerned District.

## CHAPTER-VI

## General Rules of Procedure

**28. Language to be used at meetings of a Municipal Council or a Municipal Committee.** (1) The business at a meeting of a Municipal Council or a Municipal Committee shall be Urdu, Hindi, or English.

(2) The President shall be at liberty to expunge from a notice of resolution any matter which he may consider to be defamatory or grossly offensive, and if he deems proper, he may disallow the resolution altogether on those grounds.

(3) If the President is of the opinion that words have been issued by any Member in any meeting which are defamatory or indecent or unparliamentarily or undignified he may, in his discretion, order that such words be withdrawn and the Member concerned shall comply with the order and such words/remarks be expunged from the records of the proceedings.



16 The J&K Official Gazette, 27th April, 2021/7th Vol., 1943. [No. 4-j  
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29. **Duration of speeches.** Ordinarily a Member moving a motion shall be allowed to speak for 10 minutes and a Member moving an amendment or taking part in the debate, to speak for 5 minutes :

Provided that the presiding authority may reduce or increase the time prescribed herein according as the occasion demands.

30. **Rules to be observed while speaking.** The following procedure shall be observed at a meeting of a Municipal Council or a Municipal Committee :

- (a) a Member desiring to make any speech or observation on any matter under discussion in the meeting shall speak from his place, shall rise when he speaks, and shall address the President.
- (b) if at any time the President rises to speak, the Member speaking or offering to speak shall resume his seat forthwith.
- (c) all questions from one Member to another relating to the business of the meeting shall be put through the Chair.
- (d) no Member shall speak more than once on any matter but the proposer may speak in conclusion also after hearing all others, who wish to speak.
- (e) written speeches shall not be read without the permission of the President.
- (f) the speech shall be strictly relevant to the matter under discussion before the meeting and Member while speaking shall not
  - (i) refer to any matter or fact on which a judicial decision is pending ;
  - (ii) make a personal charge against a Member or Officer or other employee of the Government or a Municipal Council or a Municipal Committee ;
  - (iii) make use of offensive expression regarding the Parliament or any State Legislature or any public institution ;



- (iv) reflect upon the conduct of the Lieutenant Governor of Jammu and Kashmir or Government of Jammu and Kashmir, or any Minister or Chief Executive Officer/ Executive Officer, or of any court of law acting in the exercise of its judicial functions ;
  - (v) utter treasonable, seditious or defamatory words ; or
  - (vi) use his right of speech for the purpose of willfully and persistently obstructing the business of a Municipal Council or a Municipal Committee.
- the President after having called the attention of the meeting to the conduct of a Member who acts in contravention of clause (f) or persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by any Member in debate, may direct him to discontinue his speech, and he shall discontinue it forthwith.

**31. Priority to an item of business.** (1) With the consent of the majority of the members present at any meeting, the President may give priority to any item of agenda, irrespective of the order in which such item stands on the list of said agenda.

(2) The President may allow any urgent matter included in the supplementary list of business under clause 12 to be taken up for consideration at any stage of the proceedings of a Municipal Council or a Municipal Committee.

32. **Motion for adjournment of debate or meeting.** When a Member moves a motion for adjourning the debate or the meeting, the President may at once put it to the vote after, giving the member such reasonable opportunity as he thinks proper to state the reasons for or against such motion.

**33. Adjournment motion not to be moved in the middle of speech.** No motion for adjournment of the debate or the meeting, shall be involved while a Member is speaking :

Provided that the President may at any time adjourn the meeting with the consent of the majority of the Members.







(2) While making such order the President shall take into consideration the seating capacity of the gallery available for the general public, the procedure to be followed for applying for and granting of admission to public, time limit for such admission and the rules of conduct to be followed by the public while witness the proceedings of a Municipal Council or Municipal Committee.

**39. Powers of persons presiding in the absence of President and Vice-President.** The person presiding over a meeting of a Municipal Council or a Municipal Committee in the absence of the President and the Vice-President shall, when so presiding have the same powers as the President when so presiding and all references to the President in these bye-laws shall in those circumstances be deemed to be references to any such person so presiding.

**40. Forwarding minutes and reports of proceedings to Government.** (1) The Chief Executive Officer/Executive Officer of Municipal Council or Municipal Committee shall forward to the Deputy Commissioner and the Director a copy of the minutes of the proceedings of each meeting of the Municipal Council or Municipal Committee within three days from the date of the meeting.



(2) The Director or the Government may also in any case as for a copy of any paper or all the papers which were laid before a Municipal Council or Municipal Committee or any committee thereof and the Municipal Council or Municipal Committee shall forward to the Government, a copy of such paper or papers.

- (a) the seat of any Member remaining unfilled for any cause whatsoever ;
- (b) the existence of any vacancy in, or any defect in the constitution of the Municipal Council or Municipal Committee, or in any committee thereof ;
- (c) Member having voted or taken part in any proceeding in contravention of Section 61 of the Act read with these bye-laws ;
- (d) any defect or irregularity not affecting the merits of the case.

## CHAPTER-VII

**42. Convening of meetings of Standing Committees.**ô (1) The date, time and place of the first meeting of the standing committees after its constitution, shall be fixed by the President.

(2) The date, time and place of every subsequent meeting of any such Committee shall be fixed by the Chairman of the respective Committee.



**43. Election of Chairman.** (1) The elected members of all the Standing Committees shall elect its Chairman or Vice-Chairman, as the case may be to preside at its first meeting each year.

(2) The procedure prescribed in Clause 5 of these bye-laws for the election of President shall, as far as may be, apply for the election of Chairman or Vice-Chairman as the case may be under this clause subject to the modification that references to the presiding authority in the said clause shall be construed as references to the person nominated under Sub-Clause (1).

**44. Tenure of the Members of the Standing Committees.** One half of the members of the Standing Committee shall retire on the completion of one year from the date of its constitution. For the first year, the members who shall retire shall be selected by draw of lots before the expiration, in such manner as the Chairman of the Standing Committee may determine. During each succeeding year, after completion of one year, one half of the members who have been longest on the office shall retire therefrom. The resultant vacancies in the Standing Committee shall be filled up by election of members as provided in the Act/Bye-Laws :

Provided that the first such retirement shall be effected within one month from the date of notification of these Bye-laws :

Provided further that a member cannot serve on a committee for two consecutive terms. However, the retiring member shall be eligible for re-election to the same Standing Committee after a gap of at least one year.

**45. Casual Vacancies.** (1) When a casual vacancy occurs in a Standing Committee, the vacancy shall be filled up within one month of occurrence of the vacancy by election of another Councillor.

(2) A member elected to fill a casual vacancy shall be elected to serve for the remainder of his predecessor's term of office.

**46. Special Meetings.** The Chairman of a Committee, whenever he thinks fit, or on a written requisition signed by the Chief Executive Officer/Executive Officer, or by not less than three members of the



[illegible]

47. **Quorum.** (1) No business shall be transacted at a meeting of the Standing Committees unless three members of that Committee are present.

48. **Resolution.** A member, who desires to move any resolution, shall give notice of his intention to the Chief Executive Officer/Executive Officer at least two clear days before the day of meeting of the Committee at which such resolution is to be brought forward.

49. **List of Business.** The Chief Executive Officer/Executive Officer shall send to each member on the day previous to the meeting the list of business for the meeting and except in special circumstances and with assent of the members present, no business not entered on such list shall be transacted at a meeting of the Committee.

**50. Procedure for the conduct of business of a meeting of a Standing Committee.**ô Save as otherwise provided in these bye-laws the procedure laid down for conduct of business of a meeting of a Municipal Council or a Municipal Committee shall, as far as may be, be followed for the conduct of business at a meeting of any Standing Committee.

## CHAPTER-VIII

### Procedure and Conduct of Business of Ward Committee

**51. Constitution of Ward Committee.** (1) The Chief Executive Officer/the Executive Officer, shall, within a period of six months from the date appointment for the first meeting of Councillors as referred to in sub-section (1) Section 27 of the Act constitute a ward committee for every ward as specified in Section 33 (A) of the Act.

(2) Each Ward Committee shall consist ofô

- (i) the member of the Municipality representing the ward, who shall be the Chairman of the Ward Committee ;
- (ii) the Area Sabha representative, if any, of the area situated in the ward ; and



- (a) it shall be a registered entity under any law for the time being in force, comprising of individuals who serves in a fiduciary capacity ;
- (b) its registered office shall be located in the jurisdiction of that ward ;
- (c) it shall have actively engaged in the activities for not less than three years ; and
- (d) it shall be working for social welfare, including welfare of community, residents, professionals etc. and promotion of health, education, culture, trade or industry ;

Provided that if the population of the ward does not exceed two thousand, the number of nominated members shall be four, and if the population of the ward exceeds two thousand, there shall be one additional member for every thousand population or part thereof in excess of two thousand :

Provided further that in reckoning the number of additional members other Ward Committee exceeding four, any part of population less than one thousand shall be ignored :

Provided also that half of the persons to be nominated the expression to the Ward Committee shall be women.

- (3) Any person disqualified from being elected as a member of a municipality shall not be nominated as member of the Ward Committee.
- (4) The term of office of Ward Committee shall be co-terminus with the term of office of the Municipality.

**52. Meetings of Ward Committees.** The Chairman concerned shall, convene the meeting of every ward committee once in every three months and as and when required during the interim period, and give notice intimating the venue, date and time of the meeting to the members at least seven days before the day of the meeting.



53. **Quorum.** (1) The quorum of the ward committee shall be one-fifth of the total member of its members.

Provided that the meeting so postponed shall be convened again within 15 days.

**55. Proceedings of the meeting.** (1) An officer of appropriate rank shall be designated by the Chief Executive Officer/Executive Officer to act as Secretary for each Ward Committee to provide all administrative assistance to it.

(3) The Secretary shall, in consultation with the Chairman of the Ward Committee, prepare the agenda by including the business to be transacted in the Ward Committee and read it over to the members at the beginning of the Ward Committee meeting.

(5) The decisions of the Ward Committee shall normally be taken by the majority of the nominated members of the Ward Committee :

(6) No act done or proceedings taken under this Act by the Wand Committee shall be invalid merely on the ground of any vacancy in it.



(9) Save as otherwise provided in these regulations the procedure laid down for conduct of business of a meeting of a Municipality or a Standing Committee shall, as far as may be, be followed for the conduct of business at a meeting of any Ward Committee.

## Procedure and Conduct of Business of Area Sabha

**57. Area Sabha Representatives.** All the electors of an area of a ward shall constitute the Area Sabha for such area and every Area Sabha shall elect an Area Sabha Representative from amongst themselves.

**59. Election of Area Sabha Representative.** Election of Area Sabha Representative shall vest in the Chief Electoral Officer. Accordingly the superintendence, direction and control of electoral rolls and conduct of election of Area Sabha Representative shall be vested in the Chief Electoral Officer.



60. **Term of office.** An Area Sabha Representative shall ordinarily hold office for a duration that is coterminous with that of the Municipality concerned, unless

- 61. Meetings of Area Sabha.** (1) The Area Sabha Representative shall preside over the meeting of the Area Sabha.

(3) No meeting of the Area Shaba shall be held on the day on which a meeting of the municipality or ward committee is scheduled to be held. The Area Sabha Representative shall fix the date and time of meeting and inform it to all the electors in the area through the Secretary of the ward committee.

(4) At least twenty voters shall be present at the meeting of the Area Sabha.

(5) The agenda for the meeting of Area Sabha shall be prepared by the Secretary of the Ward Committee concerned in consultation with Area Sabha Representative. The discussions in the Area Sabha shall be confined to the functions entrusted to it. All decisions in the Area Sabha shall be as far as possible arrived at through a consensus of the members present. Where consensus is not possible, the decision shall be taken by the majority of the members present. The Area Sabha shall pass resolutions



in respect of the items placed in the agenda. The Secretary of the Ward Committee shall attend the meeting of Area Sabha and render all possible assistance to the Area Sabha Representative in conducting the meeting of Area Sabha.

(6) Save as otherwise provided in these Bye-laws the procedure laid down for conduct of business of a meeting of Ward Committee or a Municipality shall, as far as may be, be followed for the conduct of business at a meeting of Area Sabha.

**62. Repeal and Saving.** (1) The Jammu and Kashmir Municipality (Procedure and Conduct of Meeting) Bye-Laws, 2005 are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the bye-laws so repealed shall be deemed to have been done or taken under the corresponding provisions of these bye-laws.

By order of the Lieutenant Governor.

(Sd.) DHEERAJ GUPTA, IAS,

Principal Secretary to the Government,  
Housing and Urban Development Department.

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28 The J&K Official Gazette, 27th April, 2021/7th Vol., 1943. [No. 4-j  
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**FORM-A**

[See Clause 11(1)]

**Form of Notice of meeting**

**Office of the Municipal Council/Committee.....**

To,

Shri \_\_\_\_\_,

Councillor/Member Ward No. \_\_\_\_\_.

Municipal Council/Council \_\_\_\_\_.

It is hereby informed that an ordinary/Special meeting of the  
Municipal Council/Committee has been organized on.....(date)  
at.....AM/PM at.....Agenda of business of the meeting  
is enclosed in Annexure.

Please make it convenient to attend the meeting.

No. : .....

Date : .....

Chief Executive Officer/Executive Officer,  
Municipal Council/Committee,

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**Annexure**

List of business to be transacted for consideration in the meeting of  
Council/Committee\_\_\_\_\_fixed on\_\_\_\_\_at\_\_\_\_\_(time).

S. No.	Subject
1.	
2.	
3.	
4.	
5.	
6.	

(Signature)

Name .....

Designation.....

oooooo



FORM-B

## Attendance Register

Sl. No.	Ward No.	Name of the Member/Councillor	Signature or thumb impression
1	2	3	4
1.			
2.			
3.			
4.			
5.			
6.			

Presiding Officer

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**PART-II**

Date and time of meet- ing	Subject of motion	Working of motion	Names of proposer and seconder	Amendment if any		Numbers of votes given		Final resolution after the vote amendments	
				Working	Names of (i) Propos- er (ii) Second- er	For	Again- st	Work- ing	Ser- ial No.
1	2	3	4	5	6	7	8	9	10

(Signature).....

(Presiding Authority)



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Signature of Secretary.



REGD. NO. JK633



Vol. 133] Jammu, Fri., the 13th Nov., 2020/22nd Kart., 1942. [ No. 33-e

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**Laws, Regulations and Rules passed thereunder.**

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIATô HEALTH AND MEDICAL EDUCATION  
DEPARTMENT

## Notification

Jammu, the 13th November, 2020.

SO-347. In exercise of the powers conferred by section 46 of the Pharmacy Act, 1948, the Lieutenant Governor of Union Territory of Jammu and Kashmir is pleased to make the following rules, namely :—

## CHAPTER I

## Preliminary

1. **Short title.** (1) These rules may be called the Jammu and Kashmir Pharmacy Council Rules, 2020.



(2) They shall come into force from the date of their publication in the Official Gazette.

- (a) "Act" means the Pharmacy Act, 1948 (8 of 1948) ;
- (b) "Council" means the Jammu and Kashmir Pharmacy Council constituted under Section 19 of the Act ;
- (c) "Executive Committee" means the Executive Committee under Section 27(1) of the Act ;
- (d) "Government" means the Government of Union Territory of Jammu and Kashmir ;
- (e) "Ministerial Staff" mean the functionaries engaged/appointed by the Council under clause (b) of Section 26 of the Act ;
- (f) "President" means the President elected/nominated under Section 23 of the Act ;
- (g) "Registrar" means Registrar appointed by the Council under Section 26 of the Act;
- (h) "Section" means a Section of the Act ;
- (i) "Treasurer" means the President acting as a Treasurer under sub-section (a) of Section 26 of the Act.

3. **Place of office.** The office of the Council shall be situated at Jammu and Srinagar or any other place as prescribed by the Government from time to time.

## Election Representatives of Registered Pharmacists

**4. Preparation of Electoral Rolls.** (1) For the purpose of election under clause (a) of section 19, the President shall prepare the electoral roll of registered pharmacists from the register of registered pharmacists. The



No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 3  
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electoral roll shall include the name, qualifications and residential addresses  
of all registered pharmacists on such date prior to the date of election as  
may be fixed by the Council for each election.

(2) The electoral roll shall be kept open for inspection in the Office  
of the Council at least thirty days before the last date fixed for receipt of  
nomination papers under rule 6. The Registrar shall at the same time issue  
a notice in the official Gazette and in four newspapers in Form 2, calling  
upon the registered pharmacist to send their objections or suggestions, if  
any, with regard to the entries in the electoral roll before a date specified in  
the notice, which will not be earlier than fifteen days of the publication of  
the notice. All objections received before the date specified in the notice  
shall be considered by the President and corrections made, if necessary in  
the electoral roll.

(3) Any registered pharmacist aggrieved by the decision of the  
President may within five days from the date of receipt of the order, prefer  
an appeal to Administrative Secretary, Health and Medical Education  
Department.

(4) Copies of the electoral roll shall be made available for sale at a  
price to be fixed by the President.

5. **Returning Officer.**ô The President or person authorized by the  
Government shall be the Returning Officer.

6. **Fixation of stages of election.**ô (1) The Returning Officer  
shall fix the date, hour and place for the following stages of the election,  
namely :ô

- (a) receipt of nomination papers ;
- (b) scrutiny of nomination papers ;
- (c) receipt of voting papers ; and
- (d) counting of votes.

7. **Notice of election.**ô At least thirty days before the date fixed  
for the receipt of nomination papers, the Returning Officer shall publish in  
the Official Gazette and in at least four newspapers selected by him, a



4 The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. [No. 33-e  
notice in Form 2 notifying the dates fixed under rule 6 and calling upon the  
electors to elect new members and to send nominations for the purposes.

**. . Nomination of candidates.** (1) Every registered Pharmacist  
whose name appears in the electoral roll prepared under rule 4 (hereinafter  
referred to as the elector in this part) shall be qualified for election under  
this part.

(2) Candidates qualified for election shall be proposed and seconded  
by pharmacists qualified as electors.

(3) The nomination papers shall be in Form 3 and the forms shall be  
supplied by the President to every candidate on his requisition.

(4) Every nomination paper duly completed and signed by the proposer  
and seconder and subscribed by the candidate himself as assenting to the  
nomination shall be sent by post or otherwise, so as to reach the Returning  
Officer on or before the date and the time appointed under rule 6 for receipt  
of nomination paper. Nomination papers received after the time so fixed  
shall be rejected. The Returning Officer shall immediately on receipt of a  
nomination paper record thereon the date and the time of its receipt by him.

**9. Scrutiny of nomination papers.** On the date appointed for  
scrutiny of nomination papers, the candidates and one proposer and seconder  
of each candidate may, attend at the appointed time and place, and the  
Returning Officer shall give them all reasonable facilities to examine the  
nomination papers which have been delivered within the time fixed for  
their receipt under rule 6.

**10. Disposal of Objections and Rejection of nomination.**  
(1) The Returning Officer shall examine the nomination papers and shall  
decide all objections and either on such objection or on his own motion,  
after such summary enquiry, if any, as he thinks necessary, refuse any  
nomination for any of the following reasons, namely :

- (a) that the candidate or his proposer or his seconder is not an  
elector ;
- (b) that there has been any failure to comply with the provisions of  
the Act or the rules made thereunder ; and



No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 5  
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(c) that the signature of the candidate or his proposer or his seconder is not genuine or has been obtained by fraud.

(2) Where an elector has subscribed as proposer or seconder a larger number of nomination papers than there are vacancies to be filled, only such of the papers so subscribed as have been first received, up to the number of vacancies to be filled shall be deemed to be valid ; and the rest shall be deemed to be invalid and rejected.

**11. Completion of scrutiny.**ô (1) The Returning Office shall endorse on each nomination paper his decision whether the nomination paper has been accepted or rejected ; and in case the nomination paper has been rejected the reasons therefor.

(2) The scrutiny shall be completed on the day appointed in this behalf and no adjournment of proceeding shall be allowed.

**12. Withdrawal of candidature.**ô Any candidate may withdraw his/her candidature within three days of completion of scrutiny of nominations by notice in writing signed by him and delivered to the Returning Officer.

**13. List of valid nominations.**ô On completion of the scrutiny of nominations and after the expiry of the period within which a candidate may withdraw his candidature under rule 12, the Returning Officer shall forthwith under his signature publish on the notice board at the office of the Council a list of valid nominations.

**14. Procedure at uncontested elections.**ô After the publication of the list of valid nominations if the number of validity nominated candidate does not, exceed the number of vacancies to be filled in, the Returning Officer shall forthwith declare such candidates to be duly elected to fill such vacancies, and report the names of such candidates to the Union Territory Government.

**15. Contested election.**ô (1) When there are more candidates than there are vacancies, the voting shall be by postal ballot.

(2) The Returning Officer shall forthwith publish the names and addresses of the contesting candidates in the Official Gazette and on the notice board at the office of the Council.



**16. Printing of voting papers.** The Returning Office shall arrange for the printing of papers in Form 4 with the name of the contesting candidates entered therein in alphabetical order according to the official language.

- (a) one voting paper in Form 4 signed by him ;
- (b) a similar blank cover with the words "Voting Paper" printed thereon ; and
- (c) a larger cover addressed to himself in Form 5.

**18. Issue of duplicate voting paper.** If any elector has not received his voting paper and covers or has inadvertently spoilt the papers or lost them, he may send to the Returning Officer at least seven days before the date fixed for receipt of voting papers under rule 6 a declaration to that effect signed by himself and the spoilt papers, if any, and require the Returning Officer to send him duplicate papers in place of those not received, spoilt or lost. When duplicate papers are issued, a record thereof shall be kept by the Returning Officer and a mark "Duplicate" made on the larger cover and on the voting paper issued. The Returning Officer shall cancel any spoilt papers received back from the elector.

**19. Delivery of voting paper to elector in person.** Any elector whose voting paper is returned undelivered may apply to the Returning Officer in person for such voting paper before the date fixed for receipt of voting papers under rule 6 and take delivery of the voting paper after satisfying the Returning Officer of his identity and on giving a receipt.



No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 7  
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20. **Recording of votes by elector.**ô (1) On receipt of the voting paper, an elector shall record his votes by putting crosses in column 3 of the voting paper against the names of candidate to whom he wishes to give his votes. The elector shall have as many votes as there are vacancies and can give only one vote each candidate. The elector shall not reveal his identity on the voting paper by putting his signature or by any other means.

(2) After recording his vote, the elector shall put the voting paper in the smaller cover, close it and put it in the larger cover. The elector shall then close the larger cover and write his full name and sign at the places marked on the larger cover. The larger cover shall be sent by post or otherwise, so as to reach the Returning Officer on or before the date and the hour appointed under rule 6 for receipt of voting papers.

(3) Any elector, who is under any disability which incapacitates him from recording his vote in the above manner, may take the assistance of a Gazetted Officer or a Magistrate in recording his votes. Such Officer shall, in such case record on the back of the larger cover a certificate in the following manner, namely :ô

ôI.....hereby certify

(Name of the officer )

that.....being incapable

(Name of the Elector)

of recording his votes due to.....requested (cause of incapacity) me to record his votes and I have recorded his votes according to his desire and in his presence.ô

Signature .....

Designation.....

21. **Custody of voting papers.**ô All covers containing voting papers shall on request be kept in a sealed box by the Returning Officer after noting the date and time of receipt on each cover. Any cover received after the date and time fixed for receipt of voting papers under rule 6 shall be kept in a separate packet and shall not be opened.







No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 9  
ô ô

(3) After the result of the election has been declared by him, the Returning Officer shall seal the voting papers and all other documents relating to the election and shall retain the same with himself in safe custody for a period of six months, and thereafter cause them to be destroyed.

**24. Filling of casual vacancy.**ô If there is a vacancy of a member elected under clause (a) of section 19, the President shall, take steps to fill it up as soon as possible by election in accordance with the procedure laid down in rule 4 to 23.

#### REPRESENTATIVE OF MEMBERS OF JAMMU AND KASHMIR MEDICAL COUNCIL

**25. Representatives of Members.**ô (1) The President shall by notice in writing inform the Medical Council for the Union Territory of Jammu and Kashmir duly constituted under an enactment or if it is not so constituted, any other authority exercising the functions of Medical Council till it is constituted, that the term of office of the member is due to expire on the date specified in the notice, such notice being given not later than sixty days before the expiry of such term.

(2) The notice shall be sent by registered post.

(3) The name of the person elected shall within seven days of the date of election, be communicated by Medical Council duly constituted under an enactment or any other authority exercising the functions of Medical Council till it is constituted, to the Union Territory Government, and to the President.

**26. Election of President and Vice-President.**ô As soon as possible after the President or Vice-President, as the case may be, ceases to hold office either because of the expiry of the term of office or for any reason whatsoever, the Council shall proceed to elect his successor.

**27. Record to be maintained by President.**ô The Registrar shall maintain an up-to-date record book, containing the names of the members elected or nominated on the Council the date of election or nomination of each such Member, the terms of his office, and the date of death or resignation, if any, of such member.



**28. The limit for referring election disputes.** The time limit for referring any dispute regarding any election of a Member of the President or Vice-President to the Union Territory Government shall be thirty days in the case of elected members from the date of declaration of the result of election and in case of the President or Vice-President from the date of their Election.

**29. Meetings of the Council.** (1) The Council shall ordinarily meet for the transaction of business in the month of February and September in each year but the President may, whenever she/he thinks fit and shall, upon a written requisition of not less than seven Members and on a date not later than fifteen days after the receipt of such requisition, call an extraordinary meeting.

(2) The exact date, hour and place of such meeting shall be decided by the President.

(3) Notwithstanding anything contained in this Part, if the President in the exercise of his/her discretion shall deem that shorter notice is expedient, such notice shall be sent by telegram or other more expeditious means.

**30. Notices of meetings.** (1) All Members of the council shall be given thirty clear days notice of an ordinary meeting. Every notice shall also be posted at the office of the Council. Such notice shall specify the date, time and place of the meeting and business to be transacted thereat.

(2) The President shall send to all members explanatory notes on the Agenda at least ten clear days before the date fixed for an ordinary meeting.

**31. Motions for insertion in agenda.** Any Member may send a motion to be inserted in the agenda for an ordinary meeting so as to reach the President twenty dear days before the date fixed for the meeting. The Registrar shall take the orders of the President for inclusion of such motion in the Agenda, and where any motion is disallowed the reasons for doing so shall so be communicated along with the decision to the Member who sent the motion.

32. **Attendance of meetings.** At each meeting an attendance register shall be placed in the meeting room and every member present shall sign against his/her name in the register.



No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 11  
ô ô

**33. Business to be transacted at meetings.**ô At an ordinary meeting no business or proposition other than that specified in the Agenda and in the case of an extraordinary meeting in the written request made for convening such meeting shall be transacted :

Provided that, the Presiding authority may permit any business or proposition to be discussed which is an urgent nature and which could not reasonably be entered in the notice.

#### CHAPTER IV

##### **Conduct of Business at Meetings**

**34. Presiding Authority.**ô (1) Every meeting of the council shall be presided over by the President or, if he is absent, by the Vice-President or, if both President and the Vice President are absent, by a member to be elected by the members present from among themselves.

(2) All references in this part to the President shall be read as referring to the Member for the time being presiding over meeting.

**35. Quorum at meetings.**ô (1) For a meeting of the Council eight members including President shall constitute a quorum; provided that, in the case of a meeting adjourned for want of quorum, no quorum shall be required.

(2) If at the time appointed for a meeting, there is no quorum, the meeting shall not commence until there is a quorum and if there is no quorum on the expiration of twenty minutes from the time appointed for the meeting or, during the course of any meeting, the meeting shall stand adjourned to such future date and time as the President may appoint.

**36. Decision at meetings.**ô All matters for consideration at a meeting of the Council shall be decided by a majority of votes.

**37. Minutes of meetings.**ô (1) The proceedings of the meeting of the Council shall be preserved in the form of typed or cyclostyled or printed minutes, which shall be authenticated after confirmation, by the signature of the President.

(2) A copy of the minutes of each meeting shall be submitted to the President within fifteen days of the meeting and attested by him and it shall then be sent to each member within thirty days of the meeting.



(3) The minutes of each meeting shall contain such motion and amendments as have been moved and adopted or negatived with the names of the mover and the seconder, but ordinarily without any comment and without any record of observations made by any member at the meeting.

Provided that, if no objection regarding the correctness of the minutes is received by the Registrar within thirty days of the dispatch of the copy of the minute, the decision taken by the Council at the meeting may, if expedient, be put into effect before the confirmation of the minutes at the next meeting.

## Executive Committee

39. **Disability to continue as Member.** A member shall cease to be a member of the Committee.

- 40. Resignation of Member.** A member may resign at any time by a notice in writing to the President. Such resignation shall take effect from the date on which it is accepted by the President.



No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 13  
ô ô

41. **Casual vacancies.**ô (1) The Council shall as soon as there is a casual vacancy in the office of a member of the Executive Committee fills it up by electing a member from amongst its members :

Provided that, any such vacancy, occurring within two months prior the expiry of the term of the members shall not be filled.

(2) A member elected under sub-rule (1) shall hold office so long as the Member in whose place he is elected would held it, if the vacancy had not occurred.

42. **Acting as Registrar.**ô In ease of the death of the Registrar or his incapacity from illness or his proceeding on leave for more than one month a person may with the previous sanction of the Government be appointed by the Executive Committee to perform temporarily the duties of the Registrar. The Executive Committee shall grant leave to the Registrar in accordance with the provisions of the Civil Services Rules applicable to Union Territory Government servants, from time to time.

43. **Calling of meetings.**ô The Committee shall ordinarily meet once in every month on such date and at such place as may be fixed by the President. The President may, whenever she/he thinks fit and shall, upon a written requisition of not less than two members and on a date not later than seven days after the date of receipt of such request call an extraordinary meeting.

44. **Notice of meetings.**ô All members of the Executive Committee shall be given seven clear days notice of ordinary meetings and three clear days notice in the case of an extraordinary meeting. Such notice shall specify the place, date and time of the meeting, and state whether the meeting is a general meeting or a special meeting and the business to be transacted thereat.

45. **Attendance at meetings.**ô (1) At each meeting an attendance register shall be placed in the meeting room every member present shall sign before his/her name in the register.

(2) For a meeting of the Executive Committee three members including President and the Vice-President shall be a quorum.



46. **Business to be transacted at meetings.** At any ordinary meeting no business other than that specified in the notice calling such meeting and in the case of an extraordinary meeting in the written request made for convening such meeting shall be transacted :

47. **Adjournment of meetings.** (1) If there is no quorum present, the presiding authority shall adjourn the meeting to another day, and cause a notice to be posted on the notice board at the office of the Council and sent to each member of the Committee. The business which would have been brought before the original meeting had there been a quorum thereat shall be brought before the adjournment meeting and may be disposed of at such meeting whether there be a quorum or not.

**48. Decision at meetings.**—(1) All questions at a meeting of the Executive Committee shall be decided by a majority of votes of the members present, and voting.

49. **Minutes of meetings.** The Executive committee shall keep minutes of proceedings of each meeting which shall be dealt with according to the same procedure as that indicated in Chapter IV for the minutes of the Council.

**50. Powers, duties and functions of Executive Committee.** (1) The Executive Committee shall consider all petitions of applicants addressed to the Council and shall submit its report thereon to the Council.



No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 15  
ô ô

(2) Subject to the provisions of the Preceding rule, all petitions addressed to the Council immediately before or during the sessions of the Council shall be laid upon the table.

(3) The Committee shall consider and prepare a report on any subject which may be seen to require the attention of the Council or on such subjects as may be indicated to it by the Council.

(4) The Executive Committee shall, before each meeting of the Council prepares the business for the consideration of the Council.

(5) The Executive Committee shall superintend the publication of the Register of Pharmacists which shall be prepared by the President who shall cause it to be printed. A statement of the distribution of the copies of the Register to the Government Offices as approved by the Government and to others as may be directed by the Executive Committee shall be added annually to the Register as printed.

(6) The Executive Committee shall order each year such number of copies of the Register of Pharmacists to be printed as may seem to the Registrar/Pharmacists to be printed as may seem to the President to be required on a revision of the annual distribution list which shall be prepared by the President.

## CHAPTER VI

### **Powers and Duties of President and Vice-President**

**51. Powers and duties of President.**ô The President shall exercise such powers and perform such duties as are conferred or imposed on him by the Act and the Rules. He shall also do such acts as she/he considers necessary in the furtherance of the objects for which the Council is established.

**52. Powers and duties of Vice-President.**ô If the Office of the President is vacant or if the President for any reason is unable to exercise the powers to perform the duties of his/her office, the Vice-President will act in her/his place and shall exercise the powers and perform the duties of the President.







No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 17  
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(2) A person desiring to continue her/his registration after the date mentioned in sub-rule (1), shall remit to the Council the fee prescribed under rule 62 not later than 3 months of such validity. The person may remit the fee for 05 years for which she/he desires to have her/his registration renewed after paying the requisite fees prescribed in rule 62.

(3) If the registered pharmacist fails to pay retention fee on or before the due date as referred to in Rule 62, she/he shall be liable to pay certificate retention/late fee calculated at the rate of Rs. 100/- as prescribed in rule 62 for every month or part thereof up to six months, and in the event of non-payment of such fee, the certificate shall deemed to have been cancelled :

Provided that in case of such candidates who were holding registration as Pharmacist under the repealed Jammu and Kashmir Pharmacy Act, Samvat, 2011, (1955 A. D.), the validity/extension of their registration shall be governed in terms of Executive Order issued by the competent authority (Union Territory of J&K/J&K Pharmacy Council).

**58. Additional qualification.**ô (1) An application for registration of an additional qualification under section 35 shall be in Form 9 and shall be accompanied by the fee prescribed in this behalf in rule 62 and documents of the diploma or degrees sought to be added.

(2) On registration of the additional qualifications under sub-rule (1), the President shall grant such Pharmacist a certificate in Form 10.

(3) Certified copies of entries in the Register in Form 11 may be issued to any person applying therefore on payment of the fee prescribed in rule 62.

**59. Change of name.**ô An application for a change of name of shall be made by the registered Pharmacist himself, and shall be accompanied by the fee prescribed therefore in rule 62 and also an affidavit sworn before a magistrate stating that the applicant is the same person whose name is registered with the particular number, and the circumstance for which the change is sought.

**60. Change of address.**ô It shall be the duty of every registered person who changes his address to intimate that fact to the President within one month after such change.



61. **Information to be published.** There shall be made every year and entered in the printed Pharmacy Register an enumeration of :

- ## CHAPTER VIII

62. **Fees.** The following fees are prescribed by the Council :ô

- The modalities for any discrepancy observed to decide the fee for periods not following within the meaning of provisions mentioned in Rule, the competence shall rest with Executive



No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 19  
Committee of the Council whose decision shall be final and  
conclusive.

- viii. For annual renewal/retentions @ 600/- ;
- ix. For retention late fee @ 100/- per month up to 6 months ;
- x. For registration of a change of name @ 500/- ;
- xi. For every certified copy of an entry in Register @ 500/- ;
- xii. For a "Duplicate" Certificate under Rule 55 (2) 1000/- for first time, 2000/- for second time and 5,000/- for third time together with stamp duty leviable under the Indian Stamp Act, 1899, or any other Law for the time being in force relating to the levy of the Stamp Duty.

## CHAPTER IX

### Penal Removal from the Pharmacy Register

63. **Complaints against registered Pharmacists.** (1) The Council may *suo moto* or any complaint made to it in that behalf hold an enquiry with respects to conduct of any registered Pharmacist for the purposes of section 36.

(2) Whenever information is received that the name of a person has been in the register of Pharmacist by error or on account of misrepresentation of a material fact or that a registered pharmacist or a person employed by him for the purpose of his business has been guilty of conduct which *prima facie* constitutes infamous conduct in a professional respect, if such person were a registered pharmacist, the President shall make an abstract of such information and of any further information he may have subsequently obtained.

(3) When the information in question is in the nature of a complaint by a person or body charging the pharmacist with infamous conduct in any professional respect, such complaint shall be made in writing addressed to the Registrar/President and shall state the grounds of complaint and shall be accompanied by one or more declarations as to the fact of the case. All anonymous complaints shall be disregarded.



(4) Every declaration shall state the description and true place of abode of the declarant and where a fact stated in a declaration is not within the personal knowledge of the declarant the source of the information and grounds for the belief of the declarant in its truth shall be accurately and fully stated.

(2) The document including any explanation forwarded by the pharmacist to the Registrar/President shall then be referred to the Executive Committee.

(2) If the Committee is of the opinion that a *prima facie* case is not made out, the case shall not be proceeded further and the Registrar/President shall inform the complainant, if any, of the resolution of the Committee.

(4) If the Committee resolves that the case is one in which an enquiry ought to be held, the President shall direct the Registrar to take steps for the institution of an enquiry and for having the case heard and determined by the Executive Committee.

66. **Enquiries.** (1) An enquiry directed under the foregoing rule shall be instituted by the issue of a notice in writing on behalf of the Executive Committee by the Registrar/President addressed to the Pharmacist, such



No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 21  
notice shall specify the nature and particulars of the charge and inform him  
of the day on which the Executive Committee intend to deal with the case  
and shall call upon the Pharmacist to answer the charge in writing and to  
attend before the Executive Committee on such day. The notice shall be in  
Form 12 with such variation as circumstances may require and shall be  
sent at least three weeks before the date of enquiry. The Registrar /  
President shall also inform the complainant of the date so appointed, when  
the case is one under rule 63 (3).

(2) Any answer, evidence or statement forwarded or application  
made by the Pharmacist between the date of the issue of the notice and the  
day named for the hearing of the case shall be dealt with by the President  
in such manner as he shall think fit.

(3) All material documents which are to be laid before the Executive  
Committee as evidence of the case shall be printed or typed or cyclostyled  
and a copy shall be furnished to each Member of the Committee before the  
hearing of the case.

**67. Legal assistance at Inquiry.** (1) At the hearing of the case  
by the Executive Committee, the Pharmacist and where the case is under  
rule 63 (3) also the complainant may be represented or assisted by a legal  
representative.

(2) The Executive Committee may, if it considers necessary employ  
a lawyer to advise it in the conduct of the case.

**68. Procedure of Inquiry.** When in a case under rules 63 (3) the  
complainant appears personally or by a legal representative, the following  
will be the order of procedure :

- (a) The Registrar will read to the Executive Committee the notice  
of the enquiry addressed to the Pharmacist.
- (b) The complainant or his authorized representative will then be  
invited to state his case and to produce evidence in support of it.
- (c) The Registered Pharmacist or his authorized representative will  
then be invited to state his case and to produce his evidence in







No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 23  
ô ô

70. **Adjournment of meetings.**ô The Executive Committee may, if they think it necessary adjourn the hearing or further hearing of a case to another date, and inform accordingly the Pharmacist and the complainant, where any, when they are present ; and when they are not present or when the date to which the hearing or further hearing is adjourned is not fixed forthwith, the Registrar shall intimate to them the date, by a letter to be sent by Registered post at least 28 days before that date.

71. **Decision of Executive Committee.**ô (1) Upon the conclusion of the hearing the Executive Committee will deliberate in private, and at the conclusion of the deliberation, the President shall call upon the Members of the Committee present to cast their votes on the following questions according to the nature of the charge, namely :ô

- (a) Whether the Pharmacist or the person employed by him for the purpose of his business of Pharmacy, has been convicted of the offence stated in the charge ;
- (b) Whether the Pharmacist has been guilty of an infamous conduct in a professional respect ;
- (c) Whether the conduct of a person employed by him for the purpose of his business of Pharmacy has been such as would constitute infamous conduct if such person were a Registered Pharmacist ;
- (d) Whether the name of the Pharmacist has been entered in the register by error or on account of misrepresentation or suppression of a material fact.

(2) If the majority of the Members present (including the President who shall have a casting vote in case of equality of votes), vote in the negative, the Pharmacist shall be discharged.

(3) If the majority of the Members present (including the President) who shall have a casting vote in case of equality of votes), vote in the affirmative, the Committee shall proceed to consider the punishment to be imposed. Such punishment may be either removal of the name from the register permanently or for a specified period or merely warning or censure to the Pharmacist :



Provided that, when the charge is that the Pharmacist has been convicted of an offence, the Committee may, in consideration of the nature of the offence retain from imposing any punishment on him.

(4) When the decision taken under sub-rule (3) is for removal of the name of the Pharmacist from the register, the Executive Committee shall order that the name be removed accordingly, after the same has been confirmed by the Council.

(5) The President shall upon the removal of any name from the Register pursuant to the provisions of the preceding clauses or section 36 forthwith send notice of such removal to the Pharmacist and such notice shall be sent by a registered letter addressed to the last known address or the registered address of the Pharmacist. The President shall also send forthwith intimation of any such removal to the Licensing Authority of the Union Territory under the Drugs and Cosmetic Act, 1940, and also the Dean or Secretary or other proper Officer of any body or bodies from which the Pharmacist has received his qualifications as well as to the President of all the State/Union Territory Councils.

## Restoration and Re-entry or Name in the Register in Pharmacists

**72. Re-entry of name in the register.** The Executive Committee may, on application received from a person whose name has been removed from the Register under Section 34, direct the President if it thinks fit to re-enter the name in the Register.

73. **Application for re-entry.** The application for re-entry, if a name is removed from the Register under section 34, shall be in Form 13 and shall be accompanied by the following documents, namely :

- (a) applicant's diploma, degree or experience certificate or certificate of educational qualification ; and
- (b) his certificate of registration in original if the same has not been already returned under sub-section (5) of section 36.



No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 25  
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74. **Restoration of name.**ô Any person whose name has been removed from the Register under section 36 but who still possesses a qualification entitling him to be registered under the Act, may make an application to the Council for the restoration of his name in the Register and the following procedure shall be followed in the case of every such application, namely :ô

- (1) The application shall be in writing addressed to the Council and signed by the applicant and shall state the grounds on which the application is made ;
- (2) The application shall be accompanied by,ô
  - (a) a declaration made by the applicant setting forth the facts of the case and stating that he is the person originally registered ; and
  - (b) by one of the following documentsô
    - (i) applicant's diploma/degree ;
    - (ii) his certificate of registration in original if the same has not been already returned by him in accordance with the provisions of sub-section (5) of section 36 ;
    - (iii) a certificate in Form 14 from two Pharmacists registered under the Act as to his identity.

(3) The statements in the application shall also be verified by certificates in writing to be given by two Pharmacists registered under the Act who are residents in the neighborhood of the place where the applicant has been residing since the removal of his name and who were and are well acquainted with him before and since the removal of his name. They shall testify to his present good character.

(4) The application and the certificates referred to in sub-rules (2) and (3) shall be in Forms 15 and 16 with such variation as circumstances may require.



(5) Application for restoration to the Pharmacy Register of a name removed under section 36 shall be entertained at the next session of the Council.

(7) The Council shall consider the application and may, if it thinks the consideration of it to a future date or require further evidence or explanation from the applicant.

## CHAPTER XI

75. **Registrar.** The post of the Registrar shall be of a permanent tenure. To be eligible for appointment to that Post, a candidate must possess a degree either Pharmacy or Science of a University established by Law and must have adequate administrative experience. Preference will be given to a candidate possessing a degree in Pharmacy. Possession of a degree in Law of a University established by law shall be considered as an additional qualification. In the case of new appointment there shall be a probationary period of one year. The Registrar shall be full-time Officer of the Council :

Provided that the President of the Council may authorize any Member to discharge the duties for the said post, till such time a permanent arrangement for the post of Registrar is made or perform such duties from his own.



No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 27  
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**76. Duties of Registrar.**ô (1) The Registrar shall keep the Pharmacy Register in accordance with the provisions of the Act and these rules.

(2) The Registrar shall be present at every meeting of the Council and of the Executive Committee and shall take minutes at such meetings.

(3) The Registrar shall act as Secretary of the Council, shall conduct and have charge of the correspondence of the Council, and shall issue all requisite notice in the manner required under these rules.

(4) The Registrar shall fulfill all the duties that may be required by him by the Act and these rules.

**77. Office hours and leave to Registrar.**ô Public holidays except the Office of the Registrar shall be kept open during the days when Union Territory Government Office are kept open with 5 days a week from Monday to Friday. The Registrar shall not absent himself from duties except with the permission from the President. The President shall grant leave to the Registrar in accordance with the principles laid down in the Jammu and Kashmir Civil Service Rules, 1956.

**78. Power of Registrar.**ô (1) The Registrar may obtain whatever temporary additional assistance that may be required by him, with the previous sanction of the President/Council.

(2) The Registrar shall have the general control of the management of the Office, authority over the Treasurer, Section Officer, Clerks and other servants.

**79. Term of office and casual vacancies.**ô (1) Subject to the provisions of this section, a nominated or elected member, other than a nominated President shall hold office for a term of five years from the date of his nomination or election or until his successor has been duly nominated or elected, whichever is longer.

(2) A nominated or elected member may at any time resign his membership by writing under his hand addressed to the President, and the seat of such member shall thereupon become vacant.



(3) A nominated or elected member shall be deemed to have vacated his seat if he is absent without excuse sufficient in the opinion of the Union Territory Council from three consecutive meetings of the Union Territory Council, or if he is elected under clause (a) or (c) of section 19 or 21 of the Pharmacy Act, 1948 or if he ceases to be a registered pharmacist or causes to be a member of the Medical Council duly constituted under an enactment or Council of Medical Registration for the Union Territory of Jammu and Kashmir, as the case may be.

(5) No act done by the Council shall be called in question on the ground merely of the existence of any vacancy in, or any defect in the constitution of, the Council.

80. **Staff, remuneration and allowances.**ô The Council may, with the previous sanction of the Government,ô

- Provided that for the first four years from the first constitution of the Council, the Registrar shall be a person appointed by the Government, who shall hold office during the pleasure of the Government.



## CHAPTER XII

### Common Seal

81. **Custody of seal.**ô The common seal of the council shall be kept in a box having two different locks and the key of one of these locks be in the custody of the President and the key of the other lock in the custody of the Registrar who shall further authorize any responsible person from the ministerial staff for holding the same in a safe custody.

82. **Affixing of seal.**ô (1) The seal shall be affixed only by the Council or, when the Council is not sitting, by order of the Executive Committee, but its use by such committee shall be limited to such acts as may be necessary to carry into effect the powers delegated and duties entrusted to it by the Council.

(2) Any order for affixing the seal shall state the object of its use, and shall be entered in the minutes of the Council of the Executive Committee, as the case may be.

## CHAPTER XIII

### Accounts

83. **Donations.**ô The Council is authorized to receive for the purpose of its expenses, benefactions and contribution from private persons and bodies already proceeds of the sale of reports and other publications. All credits/debits in the account (Revenue/Donations/Fee) shall be made through online module i. e. (Internet Payment Gateway). Bank charges on account of transactions shall be borne by the Bank/end-users.

84. **Opening of bank accounts.**ô An account shall be opened in the Jammu and Kashmir Bank or State Bank of India (any nearest branch) located in the name of the Council and such of its money may be invested also in Government as the Executive Committee thinks fit.

85. **Security for fidelity bond.**ô The treasurer appointed under section 26 shall furnish a security for 1,000/- or shall execute a fidelity bond for a similar amount to the satisfaction of the Council. He shall receive all moneys payable to the Council, or deposited in the manner provided in rule 83.



**86. Statement of accounts.** (1) The treasure shall superintend the details of income and expenditure of the Council and shall at each ordinary meeting of the Executive Committee submit a Financial Statement showing the transaction of the Council for the month previous to one in which the meeting is held. This statement shall if possible be sent out with the notice calling the meeting.

(2) The Treasurer shall in the month of July in each year prepare a statement of the income and expenditure of the preceding financial year ending 31st March, and draw the attention of the Council to such matters as seems deserving the notice.

**87. Annual audit of accounts.** As soon as possible after the statements of income and expenditure of the preceding financial year ending 31st March are approved, the President of the Council are authorized to audit the accounts from the empaneled Chartered Accountant.

**88. Estimate of revenue and expenditure.** (1) The annual accounts and estimate for the next financial year shall be made up by the treasurer and laid before the Executive Committee by the Registrar.

(2) In the month of February, in each year, an estimate of the revenue and of the expenditure of the Council for the year commencing on 1st April next ensuing shall be laid before the Council.

(3) Such estimate shall make provision for the fulfillment of the liabilities of the Council and for effectually carrying out its objects. It shall include on its revenue side, besides all revenue ordinarily anticipated, such grant as Government may allot and all fees received from registration and other sources.

**89. Supplementary estimates.** The Council may at any time during the year for which any estimate has been sanctioned cause a supplementary estimate to be prepared and submitted to it. Every such supplementary estimate shall be considered and sanctioned by the Council in the same manner as if it were an original annual estimate. No expenditure shall be incurred by the Council which is not duly provided for in the budget or in a supplementary budget estimate.



No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 31  
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90. **Scrutiny of claims.**ô A bill or either voucher presented as a claim for money shall be received and examined by the treasurer. If the claim be for a sum not exceeding Rs. 500/- and the bill is in order, he shall pay it. If the claim be for a sum exceeding Rs. 500/- payment shall be made after it is sanctioned by the President.

91. **Accounting of all sums received or spent.**ô The treasurer shall immediately bring into account in the general cashbook all money received or spent by the Council.

92. **Signing of Cheques/Invoices.**ô All Cheques/Invoices on the Bank shall be signed by the President or his nominee.

By order of the Government of Jammu and Kashmir.

(Sd.) ATAL DULLOO, IAS,

Financial Commissioner,  
Health and Medical Education Department, J&K.

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## Annexure

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No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 33  
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### FORM 3

#### RULE 6

##### *Form of nomination paper*

Election of member or members of the \_\_\_\_\_ Pharmacy  
Council of Union Territory of Jammu and Kashmir.

1. I the undersigned being a Registered Pharmacist, hereby nominateô

- (a) Registered as a Pharmacist his registered number being ;
- (b) \_\_\_\_\_ as a candidate for election as a member  
of the \_\_\_\_\_ State Pharmacy Council at the  
forthcoming election.

Signature\_\_\_\_\_

Address\_\_\_\_\_

Registration No.\_\_\_\_\_

Date\_\_\_\_\_

We the undersigned second the proposal of Shri\_\_\_\_\_

Signature\_\_\_\_\_

Signature\_\_\_\_\_

Address\_\_\_\_\_

Address \_\_\_\_\_

Registration No.\_\_\_\_\_

Registration No.\_\_\_\_\_

Date\_\_\_\_\_

Date\_\_\_\_\_

I the undersigned hereby consent to accept nomination as a candidate  
for election to the \_\_\_\_\_ J&K Pharmacy Council.

Signature\_\_\_\_\_

Address\_\_\_\_\_

Registration No.\_\_\_\_\_

Date\_\_\_\_\_

(a) State name and full address

(b) State Registration number.

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### Form of Voting Paper

[illegible]

- (a) Number of candidates to be elected.
  - (b) Names to be printed in a alphabetical order.
- Instructions
- (1) Each elector has\_\_\_\_\_votes.
  - (2) He shall vote by placing the mark X opposite the names of the candidates whom he prefers.
  - (3) The voting paper shall be invalid if the mark X is placed opposite the names of more than\_\_\_\_\_candidates or if the marks are so placed as to render it doubtful to which candidates they are intended to apply.
  - (4) The elector shall enclose the voting paper in the identification cover and then enclose that cover in a bigger cover in the left hand lower corner of which the elector shall write his full name and signature. If the elector fails to write his full name and signature the voting paper shall be invalid.
  - (5) A voting paper will be invalidated if the voter returns the voting paper otherwise than in the "Identification Envelope" with the declaration thereon duly completed.



- (6) Every Elector shall send his voting paper in a separate cover direct to the Returning Officer.
- (7) If the Returning Officer receives more than one voting paper from any elector, all such voting papers shall be invalid.
- (8) If more than one mark is placed before the name of any candidate, the whole voting paper will be disqualified.
- (9) This paper must be folded öFace Inwardsö and placed in the accompanying öIdentification Envelopeö which must be securely closed and then placed in a covering envelope.

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**FORM 6**

*RULE 53*

*Form of Register of Pharmacist*

- 1. Serial number\_\_\_\_\_
- 2. Name in full\_\_\_\_\_
- 3. Residential Address\_\_\_\_\_
- 4. Date of first admission to the register\_\_\_\_\_
- 5. Qualifications for Registration\_\_\_\_\_
- 6. Name of the Employer\_\_\_\_\_
- 7. Professional Address\_\_\_\_\_
- 8. Date of Birth\_\_\_\_\_
- 9. Nationality\_\_\_\_\_
- 10. Date of Renewal of Registration\_\_\_\_\_
- 11. Remarks (note removal or restoration of names with dates)  
\_\_\_\_\_



1. This certificate is the property of \_\_\_ Jammu and Kashmir Pharmacy Council\_\_\_\_\_and is issued to the above named Pharmacist in accordance with rule 55(1) of the Jammu and Kashmir Pharmacy Rules.



2. In case of removal of name from Register, this certificate shall forthwith be surrendered.
3. Every Registered Pharmacist shall notify the Registrar/President about any change in his address.
4. This certificate shall remain in force till \_\_\_\_\_ days of grace up to\_\_\_\_\_.

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1. All particulars of the application must be filled in by the applicant in neat legible hand.
2. The names and particulars entered in this application must correspond with the name and particulars of the applicant entered at the University or other examination.



No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 41  
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3. Registration fee of Rs. 3000/- in case of Fresh Registration and Rs. 3500/- in case of Migration of Registration/Non-Residents is to be deposited in the Bank through online mode, Registration fee is not refundable whether the application for registration is accepted or rejected.
4. Under the Pharmacy Act, 1948 as it stands at present only persons who have passed the Matriculation, 10+2 examination and professional qualification or their equivalent examination are eligible for registration.
5. Sections 31, 32 and 41 of the Pharmacy Act are attached with this application for the information of the application.
6. A copy of rule 57(1) and (2) regarding renewal of registration is attached for information.

- (1) Name in full\_\_\_\_\_
- (2) Father's Name\_\_\_\_\_
- (3) Place and Date of Birth (proof of age to be attached)\_\_\_\_\_
- (4) Nationality\_\_\_\_\_
- (5) Permanent Residential Address\_\_\_\_\_
- (6) Address of the Hospital, Dispensary or other place in which employed at present\_\_\_\_\_
- (7) Year of passing the Matriculation Examination or an examination prescribed as being equivalent to Matriculation Examination\_\_\_\_
- (8) Years of passing 10+2 Examination or an Examination prescribed as being equivalent to 10+2 Examination\_\_\_\_\_
- (9) Description of qualification as a Pharmacist\_\_\_\_\_
- (10) Name of the examining body\_\_\_\_\_
- (11) Name of the institution under which training undergone\_\_\_\_\_
- (12) Year of passing the examination\_\_\_\_\_

Date \_\_\_\_\_ Signature\_\_\_\_\_

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**Note :**ô

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**FORM 9**

### *Application for Registration of Additional Qualification*

The Registrar/President,  
Jammu and Kashmir Pharmacy Council.

I beg to apply for the registration of the additional qualifications of \_\_\_\_\_ which I have obtained from \_\_\_\_\_ in \_\_\_\_\_.

I am already registered under the Pharmacy Act, 1948 and my Registration Number is\_\_\_\_\_.

Yours faithfully

(Signature of the applicant)

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No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 43

**FORM 10**

*RULE 58 (2)*

### Registration of Additional Qualifications

*(Under Section 35 of the Pharmacy Act, 1948)*

The additional Diploma/Certificate appearing below have been inserted in the Register of Pharmacists for the \_\_\_\_\_ Union Territory against names of Shri/Shrimati \_\_\_\_\_ Registration No. \_\_\_\_\_

Diplomas or Certificates already Diplomas or Certificates now

Registered

Registered

Date \_\_\_\_\_

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Registrar/President

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**FORM 11**

*Certified copy of entries in the Register*

## No.

Name	Address	Date of Registration	Qualification
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**N. B. :** This certified copy remains evidence of registration only until the publication of the printed Pharmacist Register for 19. It is not nor must it be used as evidence of the identity of the holder with the person named therein.

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## ENQUIRIES

Sir,

Or that you were on the day\_\_\_\_\_of\_\_\_\_\_convicted of the following offence at viz. (set out particulars of the conviction).

Any answer or their communication or application which you may desire to make respecting the said charges or your defense thereto must be addressed to the Registrar/President of the Council and transmitted so as to reach him not less than \_\_\_\_\_days\_\_\_\_\_before the day appointed for the hearing of the case.

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(d) Insert qualifications



No. 33-e] The J&K Official Gazette, 13th Nov., 2020/22nd Kart., 1942. 47  
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(e) Insert additional qualifications

(f) Insert date of removal

(g) State address

(h) Give Particulars

(i) Insert particulars as to proposed future profession

(j) A registered pharmacist

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- (a) Insert full name
- (b) Insert qualifications, if any
- (c) Insert date
- (d) Insert Original qualifications
- (e) To be added to, if necessary
- (f) Insert date of enquiry
- (g) Insert name and address of the complainant
- (h) Insert charge on which name was removed
- (i) The blanks in this paragraphs must be filled in accordance to circumstances
- (j) Insert particulars as to propose future professional occupation.
- (k) All facts and grounds on which the application is made should be clearly and concisely stated.

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**FORM 16**

*RULE 74 (III)*

*Certificate in support of application*

I \_\_\_\_\_ of \_\_\_\_\_ certify  
as follows :ô

- (i) My Registration No. is\_\_\_\_\_.
- (ii) I have read paragraphs (4) and (5) of the application of\_\_\_\_\_ and say that I have been and am well acquainted with the said\_\_\_\_\_ both before and since his name was removed from the Register that I believe him to be now a person of good character and that the statements in the said paragraphs are to the best of my knowledge, information and belief true.

Address:

Signature  
Registration No.

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